

Washington, Saturday, November 16, 1940

# Rules, Regulations, Orders

# TITLE 9-ANIMALS AND ANIMAL PRODUCTS

### CHAPTER II—AGRICULTURAL MARKETING SERVICE

PART 204-POSTED STOCKYARDS AND LIVE POULTRY MARKETS

NOTICE RELATIVE TO O. B. CLEMENTS, A. F. SCHMITZ AND GEO. B. EASKER, DOING BUSI-NESS AS IOWA LIVE STOCK EXCHANGE, CEDAR RAPIDS, IOWA 1

## NOVEMBER 14, 1940.

Notice is hereby given that after inquiry, as provided by section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C. sec. 202 (b)), it has been ascertained by me that the stockyard known as the Iowa Live Stock Exchange at Cedar Rapids, State of Iowa, is subject to the provisions of said Act.

The attention of stockyard owners. market agencies, dealers, and other persons concerned is directed to Sections 303 and 306 (7 U.S.C. secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

GROVER B. HILL, Assistant Secretary of Agriculture.

[F. R. Doc. 40-4902; Filed, November 14, 1940; 2:38 p. m.]

# TITLE 17-COMMODITY AND SECU-RITIES EXCHANGES

CHAPTER II—SECURITIES AND **EXCHANGE COMMISSION** 

PART 270-INVESTMENT COMPANY ACT OF 1940

FORM FOR INITIAL STATEMENT OF BENE-FICIAL OWNERSHIP OF OUTSTANDING SE-CURITIES OF CLOSED-END INVESTMENT

1 Modifies list posted stockyards 9 CFR 204.1.

COMPANIES; FORM FOR STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES OF CLOSED-END INVESTMENT COMPANIES

Acting pursuant to the Investment Company Act of 1940, particularly sections 6 (c), 30 (f) and 38 (a) thereof. and deeming such action appropriate to the exercise of the powers conferred and the duties imposed upon it by the Act. appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act, the Securities and Exchange Commission hereby adopts §§ 270.30f-1 and 270.30f-2 [Rules N-30F-1 and N-30F-2] to read as

§ 270.30f-1 Form for initial statement of beneficial ownership of outstanding securities of closed-end investment companies. Form N-30F-11 is prescribed for initial statements of beneficial ownership of securities of registered closed-end companies to be filed with the Commission by every person who is directly or indirectly the beneficial owner of more than ten per centum of any class of outstanding securities (other than shortterm paper) of which such a company is the issuer, or who is an officer, director, member of an advisory board, investment adviser, or affiliated person of an investment adviser of such a company at the time when the company is registered under the Act. It is also to be used by persons who assume any of the above specified relationships with such a company after the date when the company has registered. A report on this form need not be filed by a person who is an affiliated person of an investment adviser of such a company solely because such person is an employee of the investment adviser. Statements on this form shall be filed with the Commission on or before the 10th day of the calendar month following the month in which the closed-end investment company becomes registered under the Act. or in which the individual assumes one

# <sup>1</sup> Filed as a part of the original document.

### CONTENTS

8.0	CONTENTS	
6	RULES, REGULATIONS, ORDE	RS
The second second	TITLE 9—ANIMALS AND ANIMAL PRODUCTS: Agricultural Marketing Service:	Page
The state of the s	Posted stockyards and live poultry markets; notice relative to Iowa Live Stock Exchange	4501
	Investment Company Act of 1940, Securities Ex- change Act of 1934, ben- eficial ownership forms TITLE 29—LABOR:	4501
	Wage and Hour Division:  Needlework industries, minimum wage recommendations of special industry committee for Puerto	4502
	Rico TITLE 36—PARKS AND FORESTS: Forest Service: Agreements of land transfers from Tennessee Valley Authority to Forest Service affecting:	4002
	Fannin County, Ga Nantahala National Forest, N. C	4504
	Polk County, Tenn NOTICES	4510
	Department of Agriculture: Farm Security Administration: Delegations of authority by the Administrator	4519
	Independence County, Ark., localities in which loans	4501

rarm Security Administration:	
Delegations of authority by the Administrator	451
Independence County, Ark.,	
localities in which loans	
may be made	452
Rural Electrification Adminis-	
tration:	

trattion.					
Allocation	of	funds	for	loans_	4521
epartment of	0	omme	rce:		

Department of Commerce.	
Civil Aeronautics Authority:	
American Airlines, Inc., hear-	
ing postponed	4

			Transport	704
A STATE OF THE PARTY OF THE PAR				452
(Con	ntinu	ed on n	ext page)	



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CONTENTS-Continued

Government Printing Office, Washington, D. C.

CONTENTS—Containded	1
Department of the Interior:	T. DE
Bituminous Coal Division:	Page
Hearings and temporary re-	
lief orders:	-
District Board No. 3	4515
Truax-Traer Coal Co., et	
al	4518
Warner Collieries Co., et al.	
(2 notices) 4518,	4519
Federal Trade Commission:	
Cutter Laboratories, order ap-	1
pointing trial examiner,	
etc	4502
Interstate Commerce Commis-	4 7
sion:	
Railways, special instructions	
regarding applications to	
	4522
Securities and Exchange Commis-	1
sion:	
Dallas Gas Co., et al., declara-	
tions filed	4522
United Gas Improvement Co., et	
al., application granted,	201
etc	4522
War Department:	
Tables of estimated costs cor-	
rected in contracts with:	
Curtiss Wright Corp. (St.	1332030
LIOUIS AREA PARENCE AND A CONTROL OF	4515
Douglas Aircraft Co., Inc	4515

of the above specified relationships. (Pub. 768, 76th Congress) [Gen. Rules & Regs., Rule N-30F-1, effective November 16, 1940]

§ 270.30F-2 Form for statement of changes in beneficial ownership of securities of closed-end investment companies. Form N-30F-21 is prescribed for statements of changes in beneficial ownership of securities issued by closedend companies registered under the Act, to be filed with the Commission by every person who is required to file Form N-30F-1. Statements on this form shall be filed with the Commission

on or before the 10th day of the calen- | wage rates for employees in the needledar month following that in which changes in ownership occur. (Pub. 768, 76th Congress) [Gen. Rules & Regs., Rule N-30F-2, effective November 16, 19407

PART 240-RULES AND REGULATIONS, SE-CURITIES EXCHANGE ACT OF 1934

USE OF INVESTMENT COMPANY ACT FORM

Acting pursuant to the Securities Exchange Act of 1934, particularly sections 16 (a) and 23 (a) thereof, and deeming such action appropriate in the public interest and for the protection of investors, the Securities and Exchange Commission hereby adopts § 240.16a-7 [Rule X-16A-7] to read as

\$ 240.16a-7 Use of Investment Company Act form. Separate reports need not be filed to comply with section 30 (f) of the Investment Company Act of 1940 (Pub. 768, 76th Congress) and section 16 (a) of the Securities Exchange Act of 1934 (Sec. 16, 48 Stat. 896; 15 U.S.C., 78p). A single report containing the information required under section 30 (f) of the Investment Company Act of 1940 will be regarded as filed under both Acts. To comply with that part of section 16 (a) requiring reports to be filed with national securities exchanges, a duplicate original of the same report may be filed with such exchanges or with the exchange designated under § 240.16a-1 (f) [Rule X-16A-1 (f)] (Sec. 16, 48 Stat. 896; 15 U.S.C. 78p: Sec. 23, 48 Stat. 901; sec. 8, 49 Stat. 1379; 15 U.S.C. 78w and Sup. III) [Gen. Rules & Regs., Rule X-16A-7, effective November 16, 19401

By the Commission.

FRANCIS P. BRASSOR, Secretary.

F. R. Doc. 40-4905; Filed, November 15, 1940; 11:13- a. m.l

### TITLE 29-LABOR

CHAPTER V-WAGE AND HOUR DIVISION

PART 587-MINIMUM WAGE RATES IN THE NEEDLEWORK INDUSTRIES

RECOMMENDATIONS OF THE SPECIAL INDUS-TRY COMMITTEE FOR PUERTO RICO

Whereas, on August 1, 1940, pursuant to section 5(e) of the Fair Labor Standards Act of 1938, hereinafter called the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Orders Nos. 581 and 63,2 appointed a Special Industry Committee for Puerto Rico, hereinafter called the Committee, and directed the Committee to first proceed to investigate conditions and to recommend to the Administrator minimum

15 FR. 2758

work industries in accordance with the provisions of the Act and rules and regulations promulgated thereunder; and

Whereas, the Committee included three representatives of the public, and a like number representing employers, and a like number representing employees in the needlework industries, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

Whereas, on October 2, 1940, the Committee, after investigating conditions in the needlework industries, filed with the Administrator a report containing its definitions of the needlework industries and its separable recommendations for minimum wage rates in the needlework industries, namely (1) 121/2 cents per hour to the employees in the handkerchief and household art linens division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (2) 121/2 cents per hour to the employees in the cotton underwear and infants' underwear division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations: (3) 121/2 cents per hour to the employees in the infants' wear division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (4) 121/2 cents per hour to the employees in the needlepoint and handhooked rug division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations: (5) 15 cents per hour to the employees in the woven or knitted fabric glove division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (6) 18 cents per hour to the employees in the leather glove division engaged in hand sewing operations, and 20 cents per hour where engaged in other operations; (7) 15 cents per hour to the employees in the silk underwear division engaged in hand sewing operations, and 221/2 cents per hour where engaged in other operations; (8) 20 cents per hour to employees engaged in the wearing apparel division, whether employed on hand sewing or other operations; and

Whereas, pursuant to notices published in the FEDERAL REGISTER and in newspapers in Puerto Rico and mailed to all interested persons, a public hearing upon the Committee's recommendations was held before Henry T. Hunt, Esquire, as Presiding Officer, and before the Administrator on October 28, 1940, at which all interested persons were given an opportunity to be heard; and

Whereas, the complete record of the hearing before the Presiding Officer was transmitted to the Administrator, and all persons who appeared at said hearing were given leave to submit briefs, and were given opportunity on November 7, 1940, to present oral argument to the Administrator; and

<sup>&</sup>lt;sup>2</sup> Appears as No. 62 at 5 F.R. 3629.

Whereas, the Administrator has deemed it advisable to reopen the hearing for the purpose of adducing additional evidence with respect to the minimum wage recommendations for the production of fabric and leather gloves; and

Whereas, the Administrator upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the Act, particularly sections 5 and 8 thereof, has concluded, except with respect to the fabric and leather glove divisions for which the hearing will be reopened, and for which no determination is made in this order, that the separable recommendations of the Committee for minimum wage rates in the needlework industries as defined were severally and jointly made in accordance with law, that they are supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the Act; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of the Special Industry Committee for Puerto Rico for Minimum Wage Rates in the Needlework Industries in Puerto Rico," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, Washington, D. C.;

Now, therefore, it is ordered:

§ 587.1 Approval of recommendations of Industry Committee. With the exception of the Committee's recommendations with respect to fabric gloves and leather gloves, the Committee's recommendations and each of them are hereby approved.

§ 587.2 Wage rates. (a) (1) Wages at a rate not less than 121/2 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the handkerchief and household art linens division who is engaged in hand sewing operations, including but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate not less than 20 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the handkerchief and household art linens division who is engaged in other operations, including but not by way of limitation. cutting, machine operating, stamping, sorting, ribboning, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

(b) (1) Wages at a rate not less than | merce or in the production of goods for 121/2 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the cotton underwear and infants' underwear division who is engaged in hand sewing operations, including but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for com-

(2) Wages at a rate not less than 20 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the cotton underwear and infants' underwear division who is engaged in other operations, including but not by way of limitation. cutting, stamping, machine operating, sorting, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

(c) (1) Wages at a rate not less than 121/2 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the infants' wear division who is engaged in hand sewing operations, including but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for

commerce.

(2) Wages at a rate not less than 20 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the infants' wear division who is engaged in other operations, including but not by way of limitation, cutting, machine operating, stamping, sorting, pinning, washing, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.

(d) (1) Wages at a rate not less than 121/2 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the needlepoint and hand-hooked rug division who is engaged in hand sewing operations, including but not by way of limitation, embroidering and embellishing by hand, and who is engaged in commerce or in the production of goods for commerce.

(2) Wages at a rate not less than 20 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the needlepoint and hand-hooked rug division who is engaged in other operations, including but not by way of limitation, cutting, stamping, sorting, finishing, and packing, and who is engaged in commerce or in the production of goods for commerce.

(e) (1) Wages at a rate not less than 15 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the silk underwear division who is engaged in hand sewing operations, including but not by way of limitation, hand drawing, hand rolling, and embroidering and embellishing by hand, and who is engaged in com- hand-hooked rugs.

commerce.

- (2) Wages at a rate not less than 221/2 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the silk underwear division who is engaged in other operations, including but not by way of limitation, cutting, machine operating, stamping, sorting, cleaning, finishing, pressing, examining, and packing, and who is engaged in commerce or in the production of goods for commerce.
- (f) Wages at a rate not less than 20 cents an hour shall be paid under section 6 of the Act by every employer to each of his employees in the wearing apparel division, whether employed on hand sewing or other operations, who is engaged in commerce or in the production of goods for commerce.\*
- § 587.3 Notices of order. Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Needlework Industries shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe."
- § 587.4 Definitions of the Divisions of the Needlework Industries. The divisions of the needlework industries to which this Wage Order and its several provisions shall apply, are hereby defined as follows:
- (a) Handkerchief and Household Art Linens Division. The term handkerchief and household art linens division shall mean the manufacture of handkerchiefs, plain or ornamented, and the manufacture of household art linens including but not by way of limitation, table cloths, napkins, bridge sets, luncheon cloths, table covers, sheets, pillow cases, and towels.
- (b) Cotton Underwear and Infants' Underwear Division. The term cotton underwear and infants' underwear division shall mean the manufacture from cotton, rayon, or other synthetic fiber of women's, misses' and children's underwear and nightwear, including but not by way of limitation, slips, nightgowns, negligees, panties, step-ins, pajamas, and similar articles, and the manufacture from silk, cotton, rayon or other synthetic fiber of underwear and nightwear for infants under three years of age.
- (c) Infants' Wear Division. The term infants' wear division shall mean the manufacture of dresses, rompers, creepers, sportswear, and play apparel for infants under three years of age.
- (d) Needlepoint and Hand hooked Rug Division. The term needlepoint and hand-hooked rug division shall mean the manufacture of needlepoint on canvas or other material and the manufacture of

<sup>\*\$\$587.1</sup> to 587.5, inclusive, issued under the authority contained in Sec. 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 208.

term silk underwear division shall mean the manufacture from silk of women's, misses', and children's underwear and nightwear, including but not by way of limitation, slips, nightgowns, negligees, panties, step-ins, pajamas, and similar articles.

(f) Wearing Apparel Division. The term wearing apparel division shall include the manufacture of all apparel, apparel furnishings and accessories made by the cutting, sewing, or embroidering processes and not elsewhere specified, but not including hosiery, handbags, men's fur-felt, wool-felt, straw and silk hats, and bodies, ladies' and children's millinery, and furs, and boots and shoes.\*

§ 587.5 Effective date. This Wage Order shall become effective December 2. 1940.\*

Signed at Washington, D. C., this 15th day of November 1940.

> PHILIP B. FLEMING. Administrator.

[F. R. Doc. 40-4915; Filed, November 15, 1940; 12:02 p. m.]

# TITLE 36-PARKS AND FORESTS CHAPTER II-FOREST SERVICE

[TV-54350]

AGREEMENT OF TRANSFER FROM TENNESSEE VALLEY AUTHORITY TO FOREST SERVICE, DEPARTMENT OF AGRICULTURE

NANTAHALA NATIONAL FOREST, NORTH CAROLINA

This agreement of transfer, made and entered into this 20th day of June, 1940, by and between Tennessee Valley Authority, a corporation organized and existing under and by virtue of an act of Congress known as the Tennessee Valley Authority Act of 1933, as amended (hereinafter referred to as "Authority"), party of the first part, and United States Department of Agriculture, for the use and benefit of the Forest Service of the Department of Agriculture (hereinafter referred to as "Department"), party of the second part,

Witnesseth: Whereas, Authority is authorized by the Tennessee Valley Authority Act to acquire in the name of and hold as agent for the United States of America such real property as it deems necessary or convenient in the transaction of its business; and

Whereas, in the construction of Hiawassee Dam and reservoir Authority as agent for the United States of America has acquired large tracts of land in order to afford protection to the reservoir, to mitigate severance damages, and to reduce road relocation costs; and

Whereas, said lands are located entirely within the boundaries of the Nantahala National Forest as proclaimed by the President of the United States; and

Whereas, the use and administration of said lands by Department as a part of

provided will be entirely consistent with such purposes; and

Whereas, no permanent dam, hydraulic power plant, fertilizer plant, or munitions plant is located on those portions of said lands which are hereinafter described; and

Whereas, Department is authorized and desires to obtain the right of possession, control, and custody of said hereinafter described lands and to administer the same as a part of the Nantahala National Forest;

Now, therefore, in consideration of the premises and mutual covenants herein contained, the parties hereto, subject to the approval of the President of the United States, covenant and agree as follows:

1. Subject to the approval of the President of the United States, Authority hereby assigns and transfers to Department, for the use and benefit of the Forest Service as a part of the Nantahala National Forest, the right of possession and all other right, title, or interest that it may have in and to the following described land located in Cherokee County, North Carolina, to-wit:

All that certain tract of land situated in Cherokee County, State of North Carolina, and extending along both shores of the Hi-wassee Lake, from the City of Murphy to the Hiwassee Dam site, included within the metes and bounds described as follows:

Beginning at a point marked by a concrete monument in which is set a bronze plate stamped "318-6," at a corner in the Corporation Line of the City of Murphy, the position of which, referred to the North Carolina State Coordinate System, is N. 528,483 feet and E. 491,655 feet; thence N. 528,483 feet and E. 491,655 feet; thence N. 28°59' W., 1,395 feet to a TVA monument; S. 56°13' W., 1,997 feet to a TVA monument; N. 63°10' W., 647 feet to a TVA monument; S. 30°12' W., 2,452 feet to a TVA monument; N. 61°34' W., 617 feet to a TVA monument; N. 75°45' W., 317 feet to a 10-inch black oak tree; S. 73°59' W., 352 feet to a 6-inch pine tree.

Thence with the meanders of the saddle of a ridge to a 12-inch black oak tree from which the above 6-inch pine tree bears S. 39°34′ E., 582 feet distant;

Thence with the meanders of the top of a ridge to a 15 inch black oak tree from which the above 12 inch black oak tree bears N. 68°40' E., 671 feet distant;

Thence continuing with the meanders of Thence continuing with the meanders of the ridge to a TVA monument from which the above 15 inch black oak tree bears S. 77°54′ E., 563 feet distant;

Thence from said TVA monument, by metes and bounds, N. 11°24′ W., 379 feet to

a locust stump;

S. 4°52′ W., 2,311 feet to a TVA monument; 4°53′ W., 2,310 feet to a point on a road; 74°24′ W., 1,350 feet to a concrete monument in which is set a bronze plate stamped "247-4", the position of which, referred to the North Carolina State Coordinate System. is N. 522,767 feet and E. 483,007 feet;

Is N. 522,767 feet and E. 483,007 feet;
S. 22°34′ E., 2,199 feet to a TVA monument; S. 22°33′ E., 2,250 feet to a TVA monument; S. 4°56′ W., 850 feet to a TVA monument at the top of a ridge S. 82°39′ E., 156 feet to a TVA monument; S. 7°56′ W., 456 feet to a TVA monument; S. 7°56′ W., 456 feet to a TVA monument; S. 83°30′ E., 651 feet to a TVA monument on the west right of way line of the L. & N. Railroad; S. 27°06′ W., 592 feet to a TVA monument on the said right of way line; S. 82°58′ E., 1.298 feet, passing an angle iron in the east ment; S. 22°33′ E., 2,250 feet to a TVA monument; S. 4°56′ W., 850 feet to a TVA monument at the top of a ridge S. 82°39′ E., 156 feet to a TVA monument; S. 7°56′ W., 456 feet to a TVA monument; S. 7°56′ W., 456 feet to a TVA monument; S. 83°30′ E., 651 feet to a TVA monument on the west right of way line of the L. & N. Railroad; S. 27°06′ W., 592 feet to a TVA monument on the said right of way line; S. 82°58′ E., 1,298 feet, passing an angle iron in the east on the right bank of the Nottely River;

(e) Silk Underwear Division. The the Nantahala National Forest as herein right of way line of U.S. Highway No. 64

at 285 feet, to a TVA monument; S. 4°02' E., 285 feet to a TVA monument; S. 8°16' W., 696 feet to a poplar stump; N. 82°17' W., 1,257 feet to a TVA monument; S. 7°50' W., 543 feet to a TVA monument; S. 29°10' E., W., 543 feet to a TVA monument; S. 29°10′ E., 267 feet to a 5 inch white oak tree; S. 38°32′ E., 270 feet to a 30 inch oak stump; S. 11°55′ E., 184 feet to a TVA monument; S. 28°01′ W., 106 feet to a 15 inch pine tree; S. 63°21′ W., 294 feet to an 8 inch pine tree; S. 63°34′ W., 1,343 feet to a 20 inch white oak tree; S. 21°19′ E., 289 feet to a 6 inch white oak tree; S. 19°47′ E., 121 feet to a 4 inch post oak tree; S. 36°56′ E., 196 feet to a 4 inch black oak tree; S. 72°19′ E., 336 feet to a 3 inch hickory tree; N. 83°39′ W., 958 feet to a TVA monument; S. 8°58′ W., 958 feet to a 7 Inch hickory tree; N. 83°39' W., 958 feet to a TVA monument; S. 8°53' W., 979 feet to a 10 inch hickory tree; S. 7°27' W., 463 feet to a concrete monument in which is set a bronze plate stamped "297-6", the position of which, referred to the North Carolina State Coordinate System, is N. 510,080 feet and E. 482,913 feet;

N. 88°04' W., 1055 feet to a TVA monument; N. 29°53' W., 201 feet to a TVA monument; N. 6°28' W., 204 feet to a TVA monument on center line of an old road;

the center line of an old road;

Thence with the meanders of the center line of the old road to a point witnessed by a 24 inch white oak tree from which the last mentioned TVA monument bears S. 65°10′ E., 856 feet distant;

Thence from the said 24 inch white oak tree by metes and bounds, N. 22°19′ E., 917 feet to a 6 inch maple tree; N. 9°58′ E., 1444 feet to a 14 inch white oak tree; N. 7°58′ F.

feet to a 14 inch white oak tree: N. 7°52' E., 1265 feet to a TVA monument; N. 36°02' W., 340 feet to a TVA monument at the top of a ridge; S. 47°49' W., 2087 feet, passing a TVA monument at 1,180 feet, to a TVA monument

ument; S. 41°58′ W., 1,522 feet to a TVA monument; S. 44°08′ E., 465 feet to the point of intersection of the center line of a branch and the west right of way line of U. S. Highway No. 64;

Thence with the meanders of the said right of way line to a TVA monument from which the above point of intersection of the center

the above point of intersection of the center line of a branch and the said right of way line bears N. 38°06' E., 901 feet distant;

Thence from the last mentioned TVA monument by metes and bounds, N. 63°11' W., 630 feet to a TVA monument; N. 8°08' E., 134 feet to a TVA monument on the south right of way line of the L. & N. Railroad; N. 7°56' E., 167 feet to a TVA monument on the north right of way line of the said railroad;

railroad;

Thence with the meanders of the said right of way line to a TVA monument, from which the last mentioned TVA monu-

ment bears N. 45°35′ E., 3.231 feet distant; Thence, leaving the said right of way line, by metes and bounds, S. 82°29′ E., 160 feet to a TVA monument on the east right of way line of the said railroad; S. 27°11' E.,

of way line of the said railroad; S. 27°11′ E., 1,026 feet to a TVA monument at the top of a ridge; Thence with the meanders of the top of the ridge to a TVA monument from which the last mentioned TVA monument bears N. 60°38′ E., 593 feet distant: Thence, leaving the ridge, by metes and bounds, S. 27°57′ W., 651 feet to a TVA monument; N. 88°51′ W., 150 feet to a TVA monument; S. 28°26′ W., 985 feet to a white oak stump; N. 80°24′ W., 138 feet to a TVA monument; N. 8°45′ E., 985 feet to a TVA monument; N. 5°58′ E., 827 feet to a TVA monument; N. 5°58′ E., 827 feet to a TVA monument on the south right of way line of the L. & N. Railroad;

of the L. & N. Railroad; N. 6°18' E., 164 feet to a TVA monument on the north right of way line of the said railroad;

Thence with the meanders of the said

N. 46°01' W., approximately 130 feet to a point on the left bank of the river;

Thence with the meanders of the left bank of the river to an 8 inch maple tree from which the last mentioned TVA monument bears S. 73°37′ E., 2,447 feet distant;

Thence, leaving the river, by metes and bounds, N. 83°20′ W., 809 feet to a concrete monument in which is set a bronze plate stamped "218-3", the position of which referred to the North Carolina State Coordinate System, is N. 511,030 feet and E. 467,890 feet;

N. 9°19' E., 927 feet to a TVA monument; N. 7°16′ E., 2,084 feet to a TvA monument; N. 7°50′ E., 1,482 feet to a 30 inch post oak tree at the top of a ridge; N. 6°30′ E., 663 feet to a black oak stump; N. 87°06′ W., 674 feet to a 12 inch white oak tree; N. 77°56′ W., 254 feet to a TVA monument on a road; Thence with the meanders of the road to a TVA mon-ument from which the last mentioned TVA monument bears S. 41°07′ W., 408 feet distant:

Thence, leaving the road, by metes and bounds, N. 47°15′ E., 560 feet to a 10 inch post oak tree; N. 53°30′ W., 602 feet to a TVA monument on a road; Thence with the meanders of the road to a TVA monument from which the last mentioned TVA monu-ment bears S. 40°01' E., 423 feet distant;

Thence continuing with the meanders the road to a TVA monument from which the last mentioned TVA monument bears S. 24°26' W., 264 feet distant;

Thence, leaving the road, by metes and bounds, N. 56°15′ W., 609 feet to a pine stump; N. 63°50′ W., 193 feet to a 10 inch black gum tree; N. 39°21′ E., 259 feet to a TVA monument at the top of a ridge; Thence with the meanders of the top of the ridge to a TVA monument in the center line of an old road from which the last mentioned TVA monument bears S. 56°13' E., 920 feet distant;

Thence with the meanders of the old road and the ridge to a dead 24 inch black oak tree from which the last mentioned TVA monument bears S. 35°03′ E., 1,252 feet dis-

Thence from said dead 24 inch black oak tree, by metes and bounds, N. 7°04' W., 268 feet to a 15 inch black gum tree; N. 77°21' W., 383 feet to a pine stump; N. 12°02' E., 542 feet to an 18 inch pine tree; N. 46°45' W., 542 feet to an 18 inch pine tree; N. 46°45′ W., 1,293 feet to a TVA monument; N. 34°09′ W., 305 feet to a TVA monument; N. 2°16′ W., 480 feet to a 24 inch black oak stump; N. 85°28′ W., 556 feet to a 24 inch bamgillard (Balm of Gilead) tree, the position of which, referred to the North Carolina State Coordinate System, is N. 522,538 feet and E. 463,714

N. 34°12' E., 1,971 feet to an 18 inch black

gum tree at the top of a ridge;
Thence with the meanders of the top of

Thence with the meanders of the top of the ridge to a 24 inch pine stump from which the last mentioned 18 inch black gum tree bears S. 49°10′ W., 1,750 feet distant;

Thence from said 24 inch pine stump, by metes and bounds, N. 44°00′ W., 409 feet to a TVA monument; N. 37°24′ W., 321 feet to a TVA monument at the top of a ridge;

Thence with the meanders at the top of the ridge in a northwesterly direction approxi-mately 640 feet to a TVA monument;

mately 640 feet to a TVA monument;

Thence, leaving the ridge, by metes and bounds, N. 79°39' W., 362 feet to a TVA monument; S. 8°07' W., 1,445 feet to a post cak stump; N. 89°27' W., 650 feet to a TVA monument; S. 21°17' W., 1,069 feet to a TVA monument; S. 21°17' W., 1,069 feet to a TVA monument; S. 40°19' W., 804 feet to a TVA monument; N. 81°59' W., 581 feet to a TVA monument; N. 81°52' W., 705 feet to a TVA monument; N. 81°52' W., 212 feet to a TVA monument on the center line of an old road; N. 84°34' W., 939 feet to a dead 8 inch black oak tree at the top of a ridge;

Thence with the meanders of the top of

Thence with the meanders of the top of the ridge to a TVA monument from which the last mentioned dead 8 inch black oak tree bears N. 18°39' W., 1,107 feet distant;

Thence continuing with the meanders of the top of the ridge to a 24 inch black cak tree from which the last mentioned TVA monument bears N. 3°48' W., 874 feet distant;

Thence from said 24 inch black oak tree, by metes and bounds, S. 56°44′ W., 556 feet to an 18 inch red oak stump on the north edge of a public road;

Thence with the meanders of the said road to a TVA monument from which the last mentioned 18 inch red oak stump bears S.

57°30' E., 1,314 feet distant; Thence from the said TVA monument, by

metes and bounds, S. 11°11′ W., 1,217 feet to a 12 inch chestnut stump; S. 66°12′ E., 620 feet to a 5 inch twin black jack tree; S. 37°35′ E., 290 feet to a 12 inch spanish oak tree at the top of a ridge. top of a ridge;

the top of a ridge;

Thence with the meanders of the top of
the ridge to a 40 inch spanish oak tree from
which the last mentioned 12 inch spanish oak
tree bears N. 50°49′ W., 660 feet distant;
Thence from the said 40 inch spanish oak
tree, by metes and bounds, S. 33°00′ W., 606
feet to a 20 inch white oak stump; N. 66°21′
W. 855 feet to a 24 inch spanish oak tree; W., 855 feet to a 24 inch spanish oak tree; S. 21°32′ W., 1,507 feet to a 15 inch black oak tree; N. 46°43′ W., 1,397 feet to a TVA monu-ment; S. 87°18′ W., 1,315 feet to a 20 inch red oak stump at the top of a ridge;

Thence with the meanders of the top of the ridge to a TVA monument from which the last mentioned 20 inch red oak stump bears N. 7°13' W., 1,712 feet distant;
Thence from the said TVA monument, by metes and bounds, S. 11°42' E., 1,060 feet

to a 6 inch post oak tree; S. 48°56' W., 516 feet to a hickory stump; S. 56°29' W., 1,740 feet to a TVA monument; S. 57°01' W., 68 feet to a TVA monument at the top of a

Thence with the meanders of the top of the ridge to an 18 inch poplar tree from which the last mentioned TVA monument bears S. 5°03′ E., 284 feet distant;
Thence from the said 18 inch poplar tree,

by metes and bounds, S. 79°31' W., 505 feet to a 10 inch spanish oak tree; S. 7°27' W., 309 feet to a TVA monument; S. 31°23' W., 829 feet to a TVA monument; N. 68°00' W., 1,599 feet to a TVA monument; N. 61°57' E., 206 feet to a point in the center line of Persimmon Creek; Thence with the meanders of Persimmon Creek to a point from which the last mentioned point bears S. 79°34' E., 1,048 feet distant:

1,048 feet distant;
Thence, leaving the creek, by metes and bounds, N. 9°45' E., 785 feet to a TVA monument; N. 65°50' E., 1,366 feet to a 24 inch red oak tree at the top of a ridge; Thence with the meanders of the top of the ridge to a TVA monument from which the last mentioned 24 inch red oak tree bears S. 20°28' E., 383 feet distant;
Thence continuing with the meanders of

20°28' E., 383 feet distant;

Thence continuing with the meanders of the top of the ridge to a TVA monument from which the last mentioned TVA monument bears S. 24°42' W., 919 feet distant;

Thence continuing with the meanders of the top of the ridge to a 6 inch hickory stump from which the last mentioned TVA monument bears S. 26°12' E., 213 feet distant;

Thence from the said 6 inch hickory stump.

Thence from the said 6 inch hickory stump. by metes and bounds, S. 77°44′ W., 527 feet to a 6 inch hickory tree at the top of a ridge;
Thence with the meanders of the top of the ridge to a TVA monument from which the last mentioned 6 inch hickory tree bears

25°14 E., 1,206 feet distant;

Thence from the said TVA monument, by metes and bounds, S. 76°36′ W., 281 feet to a TVA monument on an old road;

Thence with the meanders of the old road to a TVA monument from which the last mentioned TVA monument bears S. 8°22′ E., 666 feet distant.

Thence continuing with the meanders the old road to a TVA monument from which the last mentioned TVA monument bears S. 54°21′ W., 679 feet distant;

Thence from the said TVA monument, by metes and bounds, N. 26°44′ E., 451 feet to a TVA monument at the top of a ridge;

Thence with the meanders of the top of the ridge to a 6 inch sourwood stump from

the riage to a 8 inch sourwood stump from which the last mentioned TVA monument bears S. 11°31′ E., 1,067 feet distant;

Thence from the said 6 inch sourwood stump, N. 66°11′ W., 374 feet to a TVA monument; N. 8°36′ E., 435 feet to a TVA monument on the center line of an old road;

Thence with the meanders of the old road to a TVA monument from which the last mentioned TVA monument bears S. 69°46' W., 483 feet distant

Thence continuing with the meanders of the old road to a point on a bridge in State Highway No. 294 and in the center line of a branch, from which the last mentioned TVA monument bears S. 60°55′ W., 446 feet distant.

Thence with the meanders of State Highway No. 294 to a point at a road junction, from which the last mentioned point bears S. 68°23' E., 57 feet distant; Thence with the meanders of a public road

Thence with the meanders of a public road to a point in the center line of a branch from which the last mentioned point bears S. 43°17′ W., 165 feet distant;

Thence with the meanders of the branch

to a point from which the last mentioned point bears S. 32°40′ E., 1,225 feet distant;

Thence, leaving the branch, by metes and bounds, N. 7°09' E., 981 feet to a 24 inch white oak tree; N. 6°37' E., 408 feet to a

white oak tree; N. 6°37' E., 408 feet to a 24 inch pine stump, the position of which referred to the North Carolina Coordinate System, is N. 525,044 feet and E. 452,038 feet; S. 84°09' E., 2,315 feet to an 18 inch pine tree; S. 77°43' E., 475 feet to a TVA monument; S. 5°49' W., 770 feet to a TVA monument; S. 5°49' W., 770 feet to a TVA monument; N. 62°40' E., 1671 feet to an 18 inch red oak tree; N. 8°23' E., 453 feet to a TVA monument; N. 14°13' E., 391 feet to a TVA monument; N. 79°19' W., 814 feet to a TVA monument; N. 10°03' E., 682 feet to a TVA monument; N. 10°03' E., 682 feet to a TVA monument; N. 10°03' E., 682 feet to a TVA monument; N. 10°03' E., 682 feet to a TVA monument at the top of a ridge; N. 10°27' E. monument; N. 10°03' E., 682 feet to a TVA monument at the top of a ridge; N. 10°27' E., 739 feet to a TVA monument; S. 79°12' E., 834 feet to a TVA monument; N. 10°17' E., 723 feet to a dead 24 inch black oak tree; N. 9°14' E., 2,538 feet to an 18 inch post oak tree; N. 5°49' E., 523 feet to a TVA monument on the center line of an old road;

Thence with the meanders of the old road to a TVA monument at the top of a ridge from which the last mentioned TVA monument bears N. 73°40' W., 242 feet

distant;
Thence with the meanders of the top of the ridge to a TVA monument from which the last mentioned TVA monument bears S. 78°08' W., 1,348 feet distant;
Thence, leaving the ridge, by metes and bounds, N. 15°04' W., 1,604 feet to a point in the center line of a branch; N. 56°47' W. 727 feet to a TVA monument; S. 65°26' W. 755 feet to a 30 inch pine stump; N. 9°16' E., 665 feet to a TVA monument; N. 13°16' E., 671 feet to a TVA monument; N. 78°18' W. 2,110 feet to a TVA monument; N. 78°18' W., 2,110 feet to a TVA monument; S. 7°04' W., 1,391 feet to a 24 inch post oak stump; W. 1,391 leet to a 24 inch post oak stump; N. 81°17' W., 1,860 feet to an 18 inch pine tree; N. 81°28' W., 573 feet to an 18 inch red oak tree, the position of which, re-ferred to the North Carolina State Coordinate System, is N. 533.044 feet and E. 453.103

N. 14°29' E., 248 feet to a TVA monument; N. 14°22' E., 66 feet to a TVA monument; N. 16°26' E., 877 feet to a 30 inch hickory tree; N. 79°31' W., 1,588 feet to a point in the center line of a branch;

N. 84°33′ W., 1,295 feet to a 36 inch white oak tree; N. 40°45′ W., 624 feet to an 18 inch post oak tree; N. 3°13′ W., 893 feet to a TVA monument on the north edge of a road:

Thence with the meanders of the road to a TVA monument from which the last mentioned TVA monument bears N. 59°22' W. 1,419 feet distant;

Thence, leaving the road, by metes and bounds, S. 87°39' E., 658 feet to a TVA monubounds, S. 87°39′ E., 658 feet to a TVA monument; N. 6°27′ W., 988 feet to a 14 inch poplar tree; N. 69°02′ E., 311 feet to an 8 inch holly tree; N. 58°20′ E., 1,082 feet to a double post oak tree; N. 17°41′ W., 1,031 feet to a 4 inch white oak tree; N. 26°39′ E., 1,541 feet to a TVA monument; S. 83°53′ W., 2,075 feet to a TVA monument; S. 7°55′ W., 784 feet to a TVA monument on the north edge of an old road:

Thence with the meanders of the old road Thence with the meanders of the old road to a 12 inch pine stump from which the last mentioned TVA monument bears N. 83°40′ E., 671 feet distant; Thence continuing with the meanders of the old road to a 10 inch post oak tree from which the last mentioned 12 inch pine stump bears S. 53°44' E., 1,019

feet distant;

Thence from the said 10 inch post oak tree, by metes and bounds, S. 76°03′ W., 299 feet to a TVA monument; N. 85°43′ W., 840 feet to a 30 inch post oak stump; N. 13°53′ W., 92 feet to a double post oak tree; N. 7°20′ E., 1,998 feet to a 10 inch black oak tree; N. 7°22′ W., 1,056 feet to a concrete monument in which is set a bronze plate stamped "57–2", the position of which, referred to the North Carolina State Coordinate System, is N. 540,991 feet and E. 447,825 feet; and E. 447,825 feet;

N. 18°10' E., 1,607 feet to a TVA monument; N. 65°12' E., 665 feet to a TVA monument on the south right of way line of

ment on the south right of way line of the Hiwassee Dam Access Road;
Thence with the said right of way line in an easterly direction to a TVA monument from which the last mentioned TVA monument bears S. 80°15′ W., 396 feet distant;
Thence, leaving the said road, by metes and bounds, S. 89°00′ E., 458 feet to a TVA monument; N. 56°15′ E., 565 feet to a TVA monument; S. 86°26′ E., 1,287 feet to a TVA monument; S. 86°26′ E., 1,287 feet to a 24 inch red oak tree; N. 6°23′ E., 819 feet to a 20 inch red oak tree; N. 12°36′ E., 289 feet to an 18 inch poplar tree; N. 10°06′ E., 890 feet to a 12 inch pine tree; N. 48°11′ E., 484 feet to a 2 inch sourwood tree; N. E., 484 feet to a 12 inch pine tree; N. 48°11'
E., 484 feet to a 2 inch sourwood tree; N. 8°57' E., 443 feet to a 10 inch red oak tree, the position of which referred to the North Carolina State Coordinate System is N. 545,823 feet and E, 452,273 feet;

S. 55°59' E., approximately 100 feet to a point on the shore of Hiwassee Lake;
Thence with the meanders of the shore of

the lake to a point on the Hiwassee Dam;
Thence with the dam in a westerly direction approximately 1,160 feet to a point on the show of the lake. the shore of the lake;

Thence with the meanders of the shore of

the lake to a point;

Thence, leaving the shore of the lake, by metes and bounds, N. 59°46′ W., approximately 1,250 feet to a 30 inch chestnut stump. the position of which, referred to the North Carolina State Coordinate System, is N. 554,-235 feet and E. 450,653 feet;

N. 52°32' W., 1,213 feet to a 10 inch white oak tree at the top of a ridge;
Thence with the meanders of the ridge to a TVA monument from which the last men-tioned 10 inch white oak tree bears S. 36°18' 1.137 feet distant;

E., 1.137 feet distant; Thence continuing with the meanders the ridge to a TVA monument from which the last mentioned TVA monument bears 5. 36°14' E. 1.517 feet distant; Thence continuing with the meanders of

the ridge to a TVA monument from which the last mentioned TVA monument bears S. 62°32′ W., 789 feet distant;

Thence, leaving the ridge, by metes and bounds, N. 85°04′ W., 615 feet to a TVA monument; N. 58°03′ W., 1,563 feet to a monument; N. 58°03′ W., 1,563 feet to a TVA monument in the center line of a hollow; N. 58°01′ W., 1,261 feet to a TVA monument on a ridge; N. 32°18′ W., 148 feet to a TVA monument; S. 50°52′ W., 263 feet to a TVA monument; N. 58°20′ W., 913 feet to a 6 inch ivy bush; N. 49°57′ W., 1,138 feet to a concrete monument in which is set a bronze plate stamped "90–5", the position of which, referred to the North Carolina State Coordinate System, is N. 560,196 feet and E. 443,882 feet; N. 21°28′ E. 933 feet to a TVA monument.

and E. 443,882 feet;
N. 31°28' E., 933 feet to a TVA monument;
N. 41°46' E., 755 feet to a 10 inch beech
tree; N. 81°25' W. 198 feet to a 6 inch dogwood stump; N. 32°41' E., 1,077 feet to a
24 inch black oak tree; S. 61°17' E., 1,307
feet to a TVA monument; N. 11°28' E., 654
feet to a TVA monument; S. 80°46' E., 1,159
feet to an 8 inch black jack tree at the top
of Graveyard Ridge;
Thence with the mondate of the state of the sta

Thence with the meanders of the ridge to a TVA monument from which the last men-tioned 8 inch black jack tree bears S. 9°49'

a TVA monument from which the last mentioned TVA monument bears S. 9°49′ W., 422 feet distant;

Thence, leaving the ridge, by metes and bounds, S. 57°51′ E., 1,062 feet to a TVA monument; S. 37°22′ E., 1,755 feet to a TVA monument; S. 38°52′ E., 1,095 feet to a TVA monument irom which the last mentioned TVA monument bears S. 42°15′ W., 1,166 feet distant;

Thence, leaving the road, by metes and bounds, S. 50°39′ E., 71 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree from which the last mentioned TVA monument bears S. 42°15′ W., 1,166 feet distant;

Thence from the dead 6 inch red oak tree from the dead 6 inch red oak tree from which the last mentioned TVA monument bears S. 42°15′ W., 1,166 feet distant;

Thence from the dead 6 inch red oak tree from the dead 6 inch plack oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree; S. 83°55′ E., 443 feet to a 6 inch black oak tree from which the last mentioned TVA monument bears S.

monument; S. 83°25′ E., 662 feet to a 6 inch to the North Carolina State Coordinate Syshickory tree; S. 83°28′ E., 1,617 feet to a tem, is N. 556,823 feet and E. 466,511 feet; TVA monument; S. 83°30′ E., 1,042 feet to a S. 24°55′ E., 375 feet to a 6 inch maple TVA monument; S. 82°26′ E., 394 feet to a tree on a road; Thence with the meanders TVA monument; S. 82°26' E., 394 feet to a TVA monument; S. 82°14' E., 89 feet to a TVA monument; S. 82°12' E., 796 feet to a 36 inch poplar tree; S. 82°12' E., 1,098 feet to a 6 inch pine tree; S. 83°30' E., 609 feet to an 18 inch post oak stump; N. 0°15' E., 938 feet to a point in the center line of Moccasin Cyrols'.

Thence with the meanders of the creek to a point from which the last mentioned point

bears S. 49°21' E., 438 feet distant;
Thence, leaving the creek, by metes and bounds, N. 11°00' E., 493 feet to a TVA monument; S. 84°09' E., 334 feet to a TVA monument; N. 6°41' E., 635 feet to a 30 inch white oak stump, the position of which, referred to the North Carolina State Coordinate Sys-

tem, is N. 561,517 feet and E. 456,864 feet; S. 81°47' E., 2,255 feet to a 30 inch red oak stump; N. 3°15' E., 774 feet to a 4 inch hickory tree at the top of a ridge;

Thence with the meanders of the ridge to a 30 inch black oak tree from which the last mentioned 4 inch hickory tree bears S. 10°49 E. 804 feet distant:

Thence from the 30 inch black oak tree by metes and bounds, N. 60°25' E., 399 feet to a point in the center line of a branch; Thence with the meanders of the branch to a post on the southeast right of way line of a state highway from which the last men-tioned point bears S. 18°20' E., 1,647 feet distant:

Thence with the meanders of the said right of way line and of the center line of an old road to a TVA monument from which the last mentioned post bears S. 47°08' W., 1,443

feet distant:

Thence from the said monument by metes and bounds, S. 28°25′ E., 208 feet to a spanish oak stump, at the top of a ridge; Thence with the meanders of the ridge to a TVA monument from which the last mentioned spanish oak stump bears N. 11°14' E., 1,284 feet distant;

Thence from the said monument by metes and bounds, S. 20°33' E., 308 feet to an 18 inch red oak tree; S. 16°01' E., 464 feet to an oak stump; S. 88°56' E., 646 feet to a point in the center line of Beaver Dam Creek; S. 65°10' E., 988 feet to a TVA monument

at the top of a ridge; Thence with the meanders of the ridge to an 18 inch pine tree from which the last mentioned TVA monument bears N. 64°13′ W., 662 feet distant:

distant;
Thence continuing with the meanders of the ridge to a 24 inch black oak tree, the position of which, referred to the North Carolina State Coordinate System, is N. 561,416 feet and E. 462,984 feet and from which the last mentioned 18 inch pine tree bears N. 36°30′ W., 1,484 feet distant.

Thence continuing with the meanders of a ridge to a 16 inch hickory tree from which the last mentioned 24 inch black oak tree bears N. 65°02′ E., 1,232 feet distant;

bears N. 65°02′ E., 1,232 feet distant;
Thence from the said 16 inch hickory tree
by metes and bounds, S. 6°23′ W., 295 feet by metes and bounds, S. 6-23 W., 285 leet to a U. S. Forest Service Monument; N. 85-36' W., 1,813 feet to a TVA monument; N. 79-49' W., 542 feet to a TVA monument; N. 79-49' W., 542 feet to a TVA monument; S. 2-01' W., 426 feet to a TVA monument; S. 36-43' E., 1,693 feet to a TVA monument; S. 36-43' E., 1,693 feet to a TVA monument; S. 36°43′ E., 1,693 feet to a TVA monument; S. 38°47′ W., 1,366 feet to a 36 inch oak tree; S. 81°19′ E., 2,166 feet to a TVA monument; S. 36°57′ E., 293 feet to a TVA monument; S. 81°53′ E., 1,848 feet to a TVA monument; S. 81°53′ E., 1,848 feet to a TVA monument; S. 7°39′ W., 880 feet to a TVA monument; S. 7°39′ W., 880 feet to a TVA monument; S. 32°35′ E., 946 feet to a TVA monument; N. 7°30′ E., 537 feet to a TVA monument; N. 7°30′ E., 537 feet to a TVA monument; N. 51°08′ W., 338 feet to a TVA monument on the east edge of a to a TVA monument on the east edge of a road; Thence with the meanders of the road to a TVA monument from which the

of the road to a TVA monument from which the last mentioned 6 inch maple tree bears

N. 10°36' E., 777 feet distant;

Thence from the said monument by metes and bounds, S. 13°56′ E., 616 feet to an 8 inch hickory tree; N. 81°25′ W., 634 feet to a U. S. Forest Service monument; S. 17°20′ E., 80 feet to a TVA monument; S. 30°45′ E. E., 80 feet to a TVA monument; S. 30°45′ E., 325 feet to a 4 inch red oak tree; S. 16°18′ W., 110 feet to a TVA monument; S. 8°16′ W., 109 feet to a TVA monument; S. 22°24′ E., 110 feet to a TVA monument; S. 22°27′ W., 251 feet to a TVA monument; S. 26°51′ W., 275 feet to a TVA monument; S. 16°20′ W., 446 feet to a TVA monument; S. 16°51′ W., 275 feet to a TVA monument; S. 18°38′ E., 279 feet to a TVA monument; S. 18°38′ E., 279 feet to a TVA monument; S. 18°38′ E., 279 feet to an 18 inch red oak tree; S. 35°07' E., 189 feet to a TVA monument; S. 21°06' W., 296 feet to a TVA monument; S. 7°16' W., W., 296 feet to a TVA monument; S. 7°16' W., 196 feet to a 10 inch spanish oak tree on a ridge; S. 83°50' W., 188 feet to a TVA monument; N. 86°56' W., 84 feet to a TVA monument; N. 48°38' W., 190 feet to a TVA monument; S. 76°26' W., 167 feet to a TVA monument; S. 78°21' W., 200 feet to a 10 inch white oak tree; S. 28°54' E., 178 feet to a 12 inch black oak tree; S. 66°23' W., 239 feet to a TVA monument; S. 5°51' W., 102 feet 12 inch black oak tree; S. 66°23′ W., 239 feet to a TVA monument; S. 5°51′ W., 102 feet to a TVA monument; S. 83°50′ E., 848 feet to a pine stump; S. 6°36′ W., 1,532 feet to a 30 inch post oak tree; N. 82°38′ W., 1,145 feet to an 8 inch white oak tree; S. 71°51′ W., 652 feet to an 18 inch black oak tree; S. 27°05' W., 179 feet to a TVA monument; S. 5°50' W., 199 feet to a TVA monument; S. 81°22' W., 118 feet to a TVA monument on the east line of a state highway;

S. 83°18' W., 59 feet to a TVA monument; S. 16°44' E., 167 feet to a TVA monument; N. 80°23' E., 63 feet to a TVA monument on

the east line of a state highway; S. 86°19' E., 39 feet to a TVA monument; S. 11°30' W., 959 feet to a 24 inch white oak stump; N. 88°47' W., 299 feet to a 30 inch hickory tree; S. 47°40' W., 660 feet to a 10 inch black oak tree at the top of a ridge;
S. 27°16' E., 448 feet to an 8 inch black oak tree at the top of a ridge;

Thence with the meanders of the ridge to a 10 inch pine tree from which the last mentioned 8 inch black oak tree bears N. 18°33′ 478 feet distant:

Thence from the said 10 inch pine tree by Thence from the said 10 inch pine tree by metes and bounds, S. 13°10′ E., 897 feet to a TVA monument; S. 28°11′ E., 776 feet to a TVA monument; S. 30°35′ W., 913 feet to a TVA monument; S. 30°35′ W., 1,134 feet to a TVA monument in which is set a bronze plate stamped "118-2", the position of which referred to the North Carolina State Coordinate System is N. 544,461 feet and E. 463,010 feet:

S. 61°26′ W., 2,183 feet to a 24 inch white oak stump; N. 40°51′ W., 703 feet to two 3 inch hickory trees growing from an old stump; S. 2°11′ W., 1,103 feet to a TVA monument; S. 26°18′ E., 298 feet to a pine stump and a black oak tree; S. 37°13′ W., 1,263 feet to a TVA monument at the top of a ridge; Thence with the meanders of the ridge to a TVA with the meanders of the ridge to a TVA monument from which the last mentioned TVA monument bears N. 56°06′ E., 669 feet

Thence continuing with the meanders of the ridge to a TVA monument on the line made by the intersection of the present ground surface and the plane of the 1,596 foot (M. S. L.), contour and from which the last mentioned TVA monument bears S. 74°37' W., 279 feet distant;

Thence with the meanders of the said contour line to a TVA monument from which the last mentioned TVA monument bears N. 72°01' W., 1,056 feet distant;

Thence continuing with the meanders of the said contour line to a dead 6 inch red oak tree from which the last mentioned TVA monument bears N. 81°02' E., 1,528 feet dis-

30 inch spanish oak tree from which the last mentioned 14 inch pine tree bears N. 62°28' E., 666 feet distant;

tree by metes and bounds, S. 66°32′ E., 555 feet to a 30 inch red oak tree; S. 66°29′ E., 1,722 feet to a TVA monument; N. 11°05′ E., 915 feet to a 14 inch red oak tree and a

S. 13°59 E., 1,493 feet to a TVA monument; N. 50°44′ E., 1,196 feet to a TVA monument; N. 51°45′ E., 1,564 feet to a TVA monument; N. 8°14' E., 1,537 feet to a TVA monument. N. 55°53' E., 1,935 feet to a TVA monument; N. 0°37' E., 850 feet to a TVA monument; S. 80°44' E., 286 feet to a TVA monument; N. 66°02' E., 10 feet to a TVA monument on the west line of a state road; N. 2°33' W., line of the road; East 59 feet to a TVA monument; N. 89°15' E., 76 feet to a TVA monu-ment; N. 89°03' E., 60 feet to a TVA monument; S. 89°03' E., 903 feet to a 10 inch hick-ory tree; N. 37°19' E., 1,110 feet to a 20 inch spanish oak tree; S. 3°56' W., 364 feet to a 14 inch white oak stump; S. 57°29' E., 1,103 feet to a 10 inch post oak tree, the position of which, referred to the North Carolina State Coordinate System, is N. 542,426 feet and E 468.207 feet:

E. 468,207 feet; S. 54°12' W., 521 feet to an 8 inch pine tree; S. 25°45' W., 622 feet to a 6 inch oak tree; S. 6°35' W., 454 feet to an 8 inch oak tree; S. 1°33' E., 517 feet to a 6 inch twin maple tree; S. 1°03′ W., 710 feet to an 8 inch locust tree; S. 70°13′ E., 402 feet to an 8 inch spanish oak tree at the top of a ridge;

Thence with the meanders of the ridge a TVA monument from which the last mentioned 8 inch spanish oak tree bears N. 45°56′ W., 828 feet distant.

Thence continuing with the meanders of

the ridge to a TVA monument from which the last mentioned monument bears N. 86°55' 799 feet distant

W., 799 feet distant;
Thence, leaving the ridge, by metes and bounds, N. 9°04′ W., 489 feet to a TVA monument; N. 34°16′ E., 167 feet to a TVA monument; N. 37°04′ E., 61 feet to a TVA monument at a state road; N. 45°18′ E., 419 feet

to a 12 inch post oak tree; N. 42°57' E., 1,007 feet to a 16 inch pine tree; N. 38°47' E., 752 feet to a TVA monu-ment; S. 83°45' E., 973 feet to a black oak stump at the top of a ridge; S. 82°10' E., 1,292 feet to a U. S. Forest Service Monument; N. 7°25' E., 929 feet to a TVA monument; N. 7°27' E., 247 feet to a 15 inch pine tree; N. 7°12' E., 1,486 feet to a concrete monument in which is set a bronze plate stamped "92-3", the position of which, referred to the North Carolina State Coordinate System, is N. 543,774 feet and E. 473,328 feet;

S. 82-22' E., 1,627 feet to a 14 inch black gum tree; S. 6°53' W., 1,676 feet to a TVA monument; S. 81°54' E., 646 feet to a TVA monument; N. 56°05' E., 504 feet to a TVA monument; S. 84°09' E., 491 feet to a TVA monument; S. 61°59' E., 390 feet to a TVA monument; S. 61°59' E., 390 feet to a TVA monument; S. 61°59' E., 390 feet to a TVA monument; S. 4°14′ W., 217 feet to General Land Office Monument AP 11; S. 30°55′ W., 2,526 feet to a post oak stump; S. 66°05′ E., 1,038 feet to a 14 inch chestnut stump; S. 6°37′ W., 1,110 feet to a 14 inch post oak tree on the north edge of a state

Thence with the meanders of the road to a TVA monument from which the last mentioned 14 inch post oak tree bears N. 49°13' E. 366 feet distant

Thence with the meanders of a road to a TVA monument from which the last mentioned monument bears N. 18°11' W., 215 feet distant:

Thence continuing with the meanders of the road to a TVA monument from which the last mentioned TVA monument bears N. 23°19' W., 323 feet distant;

Thence, leaving the creek, by metes and bounds, N. 36°39' E., 54 feet to a TVA monument; N. 19°19' W., 124 feet to a point in the center line of a branch; N. 82°25' E., 15 feet to a point of confluence of branches; S. 84°39' E., 504 feet to a 36 inch chestnut stump; S. 71°12' E., 400 feet to a point in the center line of a creek; Thence with the meanders of the creek to a point from which the last mentioned point bears N. 85°54'

Thence with the meanders of the creek and an old road to a TVA monument in the center line of the old road from which the last mentioned point bears N. 79°43'

feet distant:

Thence with the meanders of the old road to a TVA monument in the center line of the old road from which the last mentioned mon-ument bears N. 50°04' W., 321 feet distant;

ument bears N. 50°04′ W., 321 feet distant;
Thence, leaving the old road, by metes and bounds, S. 58°25′ E., 158 feet to a maple stump; S. 2°34′ W., 537 feet to a TVA monument; N. 87°19′ W., 921 feet to an 8 inch holly stump; N. 84°40′ W., 731 feet to an oak stump; S. 11°41′ W., 883 feet to a pine stump; N. 81°28′ W., 1,153 feet to a pine stump; N. 81°28′ W., 1,153 feet to a TVA monument; S. 7°26′ W., 595 feet to a post oak stump; S. 87°23′ W., 613 feet to a TVA monument; N. 5°39′ E., 304 feet to a TVA monument; N. 78°59′ W., 1,046 feet to a 14 inch black oak stump; S. 26°25′ W., 1,165 feet to a 4 inch sourwood stump; S. 41°27′ E., 183 feet to a 12-inch red oak tree at the top of a ridge;

S. 83°13′ E., 1,405 feet to a 6 inch red oak tree; N. 58°50′ E., 385 feet to an 8 inch white

oak tree at the top of a ridge;

Thence with the meanders of the ridge to a 30 inch red oak snag in the center line of a road from which the last mentioned 8 inch white oak tree bears N. 71°32′ W., 695 feet distant:

Thence with the meanders of the road to a TVA monument at a road junction from which the last mentioned 30 inch red oak

snag bears S. 60°53′ W., 1,320 feet distant; Thence with the meanders of a road to a pine stump from which the last mentioned TVA monument bears S. 75°52′ W., 704 feet

distant;
Thence from the said pine stump by metes and bounds, S. 82°26′ E., 471 feet to a red oak stump; S. 82°28′ E., 1,679 feet to a TVA monument; N. 8°19′ E., 719 feet to a TVA monument; S. 80°11′ E., 1,601 feet to a TVA monument; S. 83°22′ E., 2,079 feet to a conmonument; S. 83°22′ E., 2,079 feet to a conmonument; S. 80°11′ E., 1,601 feet to a conmonument; S. 83°22′ E., 2,079 feet to a conmonument; S. 83° crete monument in which is set a bronze plate stamped "348-1", the position of which, referred to the North Carolina State Coordinate System, is N. 533,784 feet and E. 481,909

7°23' E., 358 feet to a 3 inch pine tree; N. 37°35' W., 1,020 feet to a 12 inch red oak tree at the top of a ridge; Thence with the meanders of the ridge

to an 8 inch spanish oak tree from which the last mentioned 12 inch red oak tree bears S. 87°45′ W., 739 feet distant;
Thence from said 8 inch spanish oak tree by metes and bounds, S. 9°31′ W., 406 feet

by metes and bounds, S. 9°31′ W., 406 feet to a point in the center line of a branch; Thence with the meanders of the branch to a point on the east edge of a private road from which the last mentioned point bears N. 72°24' W., 218 feet distant;

Thence with the meanders of the private road to a locust post from which the last mentioned point bears S. 53°34' W., 446 feet distant;

Thence from the said locust post by metes and bounds, N. 57°21' E., 350 feet to a 2 inch sourwood tree; N. 57°37' E., 534 feet to a TVA monument; S. 44°45′ E., 472 feet to a 14 inch red oak tree; S. 27°01′ E., 401 feet to a TVA monument; N. 58°54′ E., 350 feet

Thence with the meanders of the ridge to a dinch spanish oak tree from which the last dentioned 14 inch pine tree bears N. 62°28′. Thence, leaving the creek, by metes and bounds, N. 36°39′ E., 54 feet to a TVA monument; N. 19°19′ W., 124 feet to a point in Thence from the said 30 inch spanish oak tree from the last feet distant;

Thence, leaving the creek, by metes and bronze plate stamped "344 4; 268-1" on the south edge of a road, the position of which referred to the North Carolina State Coordinates. nate System, is N. 532,754 feet and E. 489,654

> Thence with the meanders of the road to a TVA monument on the south edge of the road from which the last mentioned monument bears N. 37°02' W., 2,044 feet distant;

Thence, leaving the road, by metes and bounds. N. 33°15′ E., 1,676 feet to a TVA monument; S. 80°53′ E., 524 feet to a black pine stump; S. 27°57′ E., 480 feet to a TVA monument; S. 25°11′ E., 909 feet to a fence corner; S. 24°51′ E., 417 feet to a fence corner; S. 26°30′ E., 401 f 26°57′ E., 446 feet, passing from pins at 63 and 294 feet, to a fence corner; S. 27°25′ E., 110 feet to an iron pin; S. 27°17′ E., 196 feet, passing an iron pin at 100 feet, to a fence corner; S. 27°24' E., 278 feet to a fence corner; S. 7°35' W. 1.576 feet to a TVA monument; S. 57°57' W., 514 feet to a TVA monument; S. 4°52' W., approximately 70 feet to a point on the North Corporation Line of the City of Murphy:

Thence with the meanders of the said Corporation Line in a northwesterly direc-tion approximately 1,000 feet to a point on a state highway:

Thence from the said point, by metes and bounds, continuing with the said Corporation Line

N. 1°59' W., 115 feet to a point; N. 61°59' V., 620 feet to the point of beginning.

W.. 620 feet to the point of beginning.

The tract as described above contains 22,936 acres, more or less, from which is to be
excepted an area of approximately 6,156 acres,
being all that portion of the said land having
the elevation of its present ground surface
below the plane of the 1,528 foot (m. s. l.)
contour, leaving a net area to be transferred
to 16,780 acres more or less. The said 16,780 of 16,780 acres, more or less. The said 16,780 acres is subject to rights of way 150 feet wide for the Santeetlah-Fowler Bend and Hiwassee-Chicamauga Transmission Lines, reserved by the Tennessee Valley Authority; to such rights as may be outstanding in third parties to all cemeteries and rights of way for pre-viously existing roads, railroads, transmisviously existing roads, railroads, transmission lines, and telephone lines located on the said land; and also to certain rights of way said land; and also to certain rights of way which have been or are to be granted by Authority for purposes of road construction, railway and transmission line relocation, including but not limited to the following described rights of way granted or hereafter to be granted by Authority to the parties hereinafter designated:

1. Right of Way to be Granted to the Louisville and Nashville Railroad Company:

A strip of land lying on each side of the center line of the relocation of the Louisville.

enter line of the relocation of the Louisville and Nashville Railroad, Murphy Branch, on the southeast side of the Nottely River, in Cherokee County, North Carolina, between mile posts 412 and 414 from Louisville, Kentuck tucky, said strip extending through United States of America (TVA) tracts FBR-292, FBR-290, FBR-289, FBR-293, FBR-294, FBR-301 and FBR-302, and comprising all of United States of America (TVA) Tracts HRR-1 and HRR-2, being bounded on the west end at revised valuation station 544+74 by the west line of the land of the United States of America (in custody of TVA) being bounded on the east end at revised valuation station 623+59 by the north line of the land of the United States of America (in custody of TVA), the center line of the relocation and the various widths of the strip between the above named boundary being more particularly described as follows

Beginning at a point where a 150 foot cubic spiral for a 6 degree curve to the left on the center line of the relocation crosses the west line of United States of America (TVA) tract FBR-292 (Fred Stiles), which is the east line of the Carolina Talc Company's the cast line of the Carolina Talc Company's Thence, leaving the road, by metes and bounds, S. 3°48' W., 91 feet to a TVA monument; S. 49°07' E., 295 feet to a TVA monument; S. 51°51' W., 53 feet to a TVA monument; S. 7°52' W., 1.345 feet to a TVA monument; S. 7°52' W., 1.345 feet to a TVA monument; S. 82°01' E., 267 feet to a point in the center line of a creek; Thence with the meanders of the creek to a point from which the derivative of the creek to a point from which the derivative of the creek to a point from which the derivative of the creek to a TVA monument; S. 83°01' E., 395 feet to a TVA monument; S. 83°

ning being bounded on the west end by the west line of the land of the United States of America (in custody of TVA), and being 200 feet wide, lying 100 feet on each side of the center line of the relocation; thence, with the spiral on the center line of the relocation, in an easterly direction, 144.61 feet to the P. S. T. (1.54.744; E. 484.890) on the original transfer the spiral of the relocation of the relocation of the spiral of the spiral of the relocation of the spiral of the spir of the spiral at revised valuation station 546+18.61; thence N. 65°57′40″ E., 849.59 feet to revised valuation station 554+68.2 on the center line of the relocation, said point being S. 44°08' E., 199.9 feet from US-TVA Monucenter line of the relocation, said point being S. 44°08′ E., 1999 feet from US-TVA Monument No. 290-2 (Coordinates: N. 512,118; E. 478,965); thence continuing N. 65°57′40′′ E. 269.41 feet to the P. T. S. of a 150 foot cubic spiral for a 3 degree curve to the left, at revised valuation station 557+37.61; thence, with the spiral, in an easterly direction, 150 feet to the P. S. C. of the curve, at revised valuation station 558+87.61; thence, with the curve, in a northeasterly direction, 439,26 feet to the P. C. S. of the curve, at reject valuation station 563+26.87; thence, vised valuation station 563+26.87; thence, with a 150 foot cubic spiral for the 3 degree curve, in a northeasterly direction, 150 feet to the P. S. T. of the spiral, at revised valua-tion station 564+76.87; thence N. 48°17'00" E. 153.00 feet to revised valuation station 566+29.87 where the strip continues to be bounded on the northwest side by a line that is 100 feet from and parallel to the center line. is 100 feet from and parallel to the center line of the relocation, and becomes bounded on the southeast side by the northwest right of way line of U. S. Highway No. 64; thence continuing N. 48°17'00'' E., 2,119.53 feet to revised valuation station 587+49.4, said point being S. 7°52' W. 385.9 feet from US-TVA Monument No. 239-4 (Coordinates: N. 514,376.2; E. 481,728.8); thence continuing N. 48°17'00'' E., 887.66 feet to the P. T. S. of a 150 foot cubic spiral for a 6 degree curve to the right, at revised valuation station the right, at revised valuation station 596+37.06; thence, with the spiral, in a northeasterly direction, 150 feet to the P. S. C. of the curve, at revised valuation station 597+87.06; thence, with the curve, in a northeasterly and subsequently an easterly direction, 813.47 feet to the P. C. S. of the curve, at revised valuation station 606+00.53; thence, with a 150 foot cubic spiral for the 6 degree curve, in an easterly direction 150 feet to the P. S. T. of the spiral, at revised valuation station 607+50.53; thence S. 73°54′30″ E. 164.65 feet to revised valuation station E. 164.65 feet to revised valuation station 609+15.18 where the strip becomes 200 feet wide, lying 100 feet on each side of the center line of the relocation; thence continuing S. 73°54'30" E. 264.00 feet to the P. T. S. of a 150 foot cubic spiral for a 6 degree curve of a 150 foot cubic spiral for a cuties cuties to the left, at revised valuation station 611+79.18; thence, with the spiral, in an easterly direction, 150 feet to the P. S. C. of the curve, at revised valuation station 613+29.18; thence, with the curve, in an earthesterly direction 1,029 82 feet to a point where the center line crosses the north line of the land center line crosses the north line of the land of the United States of America (in custody of TVA), at revised valuation station 623+59 said point being S. 82°58′ E., 57.8 feet from US-TVA Monument No. 301-3 (Coordinates: N. 484.784; E. 514.991), the strip terminating at said point and becoming bounded on the east end by a line extending on a bearing of

The above described strip of land continuous right of way between the above named west and north property lines and has a net length of 7,885 feet along the center line, and contains 33.0 acres, more or less, from which is to be excluded two portions of right of way now owned by the Railroad Company for the original track location, said portions lying within the above described strip and containing 6.7 acres, more or less; all as shown on the Tennessee Valley Authority's map entitled "L. & N. Railroad Relocation, Murphy Branch, Right of Way Map," File No. 6-4903-1.2.

2. Right of Way to be Granted to the Southern States Power Company:

A strip of land 25 feet wide for a transmission line right of way, lying 12.5 feet on each side of the center line of the relocated portion of a 6.6 KV. Southern States Power Company transmission line, southwest of the

mission line where the north end of the strip herein described is bounded by a line ex-tending on a bearing of N. 61°34′ W., thence, with the center line of the relocation, S. 28°26′ W., 260 feet to a point; thence S. 60°28′ 28°26′ W., 260 feet to a point; thence S. 60°28′ W., 283 feet to a point; thence S. 70°02′ W., 605 feet to a point; thence N. 49°29′ W., 579 feet to a point; thence N. 52°28′ W., 304 feet to a point; thence N. 82°32′ W., 239 feet to a point; thence S. 73°52′ W., 254 feet to a point; thence S. 58°42′ W., 259 feet to a point; thence S. 59°24′ W., 467 feet to a point; thence S. 59°24′ W., 279 feet to Pole No. 118 (Coordinates: N. 514,119; E. 481,964) on the original transmission line, where the strip terminates and becomes bounded on the southwest end and becomes bounded on the southwest end by a line extending on a bearing of S. 30°36′ E.

The above described strip of land is a continuous right of way 25 feet wide between the above named north and southwest boundary lines and has a net length of 3,534 feet along the center line and contains 2.0 acres, more or less, subject to such rights as may be

or less, subject to such rights as may be vested in the public for North Carolina State Highway No. 28 (U. S. Highway No. 64).

3. Highway Rights-of-Way to be Granted to State of North Carolina:

The easements and rights-of-way are situated in the County of Cherokee, State of North Carolina and are more particularly. North Carolina, and are more particularly described as follows:

North Carolina State Highway No. 64 at Cane Creek Project 05302-3015.

A strip of land lying 30 feet on each side the center line of a section of relocated road at Cane Creek, Cherokee County, North Carolina, and with the privilege, subject to the approval of the United States Forest Service, of doing any necessary work in the maintenance of drainage ditches and any other necessary road accessories which may lie outside the limits of the right-of-way as lie outside the limits of the right-of-way as described and on abutting property of the United States of America, in the custody, control, and possession of the United States Forest Service, the center line of the reloca-tion being more particularly described as follows: Beginning at a point approximately 500 feet S. 6° W., thence, approximately 600 feet in a northeasterly direction along the center line of the existing road, from a corner common to the United States of America's Tracts F.B.R.—289 and F.B.R.—293 and the property of Thomas P. Rogers, said point being designated as survey station 3+38 on the center line of the relocated road; thence, N. 45°37′ E., 548.2 feet; thence, with a cubic spiral, for a 716.2-foot radius curve, to the right 220.0 feet; thence, with a 716.2-foot radius curve to the right, 914.8 feet; thence, with a cubic spiral, for a 716.2-foot radius curve to the right, 220.0 feet; thence, S. 43°36' E., 31.5 feet; thence, with a cubic spifor a 318.3-foot radius curve to the left, 150.0 feet; thence, with a 318.3-foot radius curve to the left, 208.9 feet; thence, with a cubic spiral, for a 318.3-foot radius curve to the left 150.0 feet; thence, N. 71°48' E., feet; thence, with a cubic spiral for an 881.5-foot radius curve to the left, 451.2 feet to survey station 36+50 where the center line of the relocated road ends in the center of the existing road location.

North Carolina State Highway No. 294 at Persimmon Creek project 05302-3017.

A strip of land lying on each side of the center line of a section of relocated road be-tween Suit and Letitia on North Carolina State Highway No. 294 in Cherckee County, North Carolina, and with the privilege, sub-ject to the approval of the United States Forject to the approval of the United States Forest Service, of doing any necessary work in the maintenance of drainage ditches and other necessary road accessories which may lie outside the limits of the right of way as described and on abutting property of the United States of America, in the custody, control, and possession of the United States

Forest Service, the center line of the relocation and the various widths of the strip being more particularly described as follows:

A strip of land lying 30 feet on each side of A strip of land tyme so feet on each sale of the center line, beginning at a point where the center line of the relocated road crosses the westerly line of the United States of America's land, said point being designated as survey station 86+86.6 on the center line of the relocated road; thence, with a 477.5-foot radius curve to the left, 152.3 feet; thence, S. 87°57′ E., 215.9 feet; thence, with a 358.1-foot radius curve to the left, 19.4 feet, thence, 160t radius curve to the left, 19.4 feet, thence, N. 85°51′ E., 228.1 feet; thence, with a 358.1 feet; thence s. 62°25′ E., 111.4 feet; thence, with a 286.5-foot radius curve to the left, 234.1 feet; thence, N. 70°46′ E., 143.9 feet; thence, with a 477.5-foot radius curve to the right 72.7 feet; thence, N. 70°46′ E., 148.9 feet; thence, N. 70°4 a 47.5-100t radius curve to the right 72.7 feet; thence, N. 79°30' E., 118.5 feet; thence, with a 286.5-foot radius curve to the left, 250.8 feet; thence, N. 29°21' E., 384.8 feet; thence, with an 848.8-foot radius curve to the right, 1.492.3 feet; thence S. 49°56' E., 171.5 feet to survey station 125+00 where the center line of the relocated road ends in the center of the existing road location.

Joe Brown Highway at Ogreeta-Project 05302-4020.

A strip of land lying on each side of the center line of a section of relocated road north of Ogreeta, Cherokee County, North Carolina, and with the privilege, subject to the approval of the United States Forest Service, of doing any necessary work in the maintenance of drainage ditches and other necessary road accessories which may lie outside the limits of the right of way as described and on abutting property of the United States of America, in the custody, control and pos-session of the United States Forest Service the center line of the relocation and the various widths of the strip being more particularly described as follows:

A strip of land lying 30 feet on each side of the center line, beginning at a point where the center line of the relocated road crosses the southerly line of the United States of America's land, said point being designated as survey station 2+63.9 on the center line of the relocated road; thence, N. 25°03' W., 212.5 feet; thence, with a 1,145.9-foot radius curve to the right, 286.3 feet; thence, N. 10°44' W., 107.7 feet; thence, with a 143.2-foot radius curve to the right, 99.2 feet; thence, N. 28°56′ E., 70.9 feet; thence, with a 143.2-foot radius curve to the left, 31.6 feet; thence, No. 16°18′ E., 78.3 feet; thence, with a 143.2-foot radius curve to the right, 108.9 feet; thence, N. 59°52′ E., 70.7 feet; thence, with a 143.2-foot radius curve to the left, 103.9 feet; thence, N. 18°19′ E., 133.3 feet; thence, with thence, N. 18 19 E., 133.3 feet; thence, with a 382.0-foot radius curve to the right, 196.6 feet; thence, N. 47°48' E., 60.1 feet; thence, with a 143.2-foot radius curve to the left, 74.3 feet; thence, N. 18°06' E., 60.3 feet; thence, with a 318.3-foot radius curve to the right, 210.3 feet; thence, N. 55°57' E., 64.7 feet; thence, with a 143.2-foot radius curve to the left, 61.2 feet; thence, N. 31°28' E., 65.4 feet; thence, with a 143.2-foot radius curve to the right, 89.7 feet; thence, N. 67°20' E., 55.9 feet; thence, with a 143.2-foot radius curve to the right, 89.7 feet; thence, N. 67°20' E., 55.9 feet; thence, with a 143.2-foot radius curve to the left, 193.1 feet; thence, N. 9°54′ W., 69.8 feet; thence, with a 191.0-foot radius curve to the right, 58.1 feet; thence, N. 7°31' E., 200.8 feet; thence, with a 382.0-foot radius curve to the right, 78.4 feet; thence, N. 19°17' E., 118.4 feet; thence, with a 191.0-foot radius curve to the right, 61.1 feet; thence, N. 37°36′ E., 63.0 feet; thence, with a 143.2-foot radius curve to the left, 139.6 feet; thence, N. 18°15′ W., 203.3 feet; thence, with a 191.0-foot radius curve to the left, 119.6 feet; thence, N. 18°15′ W., 203.3 feet; thence, with a 191.0-foot radius curve to the left, 110.5 feet; thence foot radius curve to the left 119.6 feet; thence, N. 54°08' W., 114.1 feet to survey station 39+25 where the center line of the relocated road ends in the existing road location.

Joe Brown Highway at Whitner School-

lina, and with the privilege, subject to the approval of the United States Forest Service, of doing any necessary work in the maintenance of drainage ditches and other necessary road accessories which may lie outside the limits of the right of way as described and on abutting property of the United States of America, in the custody, control, and possession of the United States Forest Service, the center line of the relocation being more particularly described as follows: Beginning at a point in the center of the existing road location approximately 240 feet in a southerly direction from the corner common to the United States of America, Tract FBR-115, the property of Andrew Whitner et ux and the property of Charles Taylor, said point being designated as survey station 1+20 on the center line of the relocated road, thence, with a 220.4-foot radius curve to the left, 172.6 feet; thence, S. 59°12′ E., 288.8 feet; thence, with a 143.2-foot radius curve to the left, 98.4 feet; thence, N. 81°26′ E., 84.1 feet; thence, with a 143.2-foot radius curve to the right, 150.8 feet; thence, S. 38°14' E., 83.7 feet; thence, with a 143.2-foot radius curve to the left, 54.0 feet; thence, S. 59°49' E., 1976 feet to survey station 12+50 where the center line of the relocated road ends in the center of the existing road location.

Joe Brown Highway at Grape Creek-Project 05302-4022.

A strip of land lying on each side of the center line of a section of relocated road between Murphy and Unaka, in Cheroroad between Murphy and Unaka, in Chero-kee County, North Carolina, and with the privilege, subject to the approval of the United States Forest Service, of doing any necessary work in the maintenance of drain-age ditches and other necessary road acces-sories which may lie outside the limits of the right of way as described and on abut-ting property of the United States of America, in the custody, control, and pos-session of the United States Forest Service, the center line of the relocation and the the center line of the relocation and the various widths of the strip being more particularly described as follows:

A strip of land lying 30 feet on each side of the center line, beginning at a point in the center of the existing road location approximately 430 feet S. 40° W., from the corner common to the United States of America's tracts FBR-97 and FBR-101, and America's tracts FBR-97 and FBR-101, and the property of Ernest Stiles, said point being designated as survey station—(1+50) on the center line of the relocated road; thence, with a 143.2-foot radius curve to the left, 59.1 feet; thence, N. 72°05′ E., 85.9 feet; thence, with a 143.2-foot radius curve to the right, 158.6 feet; thence, S. 44°28′ E., feet; thence, with a 143.2-foot radius curve to the right, 158.6 feet; thence, S. 44°28′ E., 270.1 feet; thence, with a 272.8-foot radius curve to the left, 609.2 feet; thence, N. 7°36′ E., 373.6 feet; thence, with a 191.0-foot radius curve to the right, 418.4 feet; thence, S. 46°53′ E., 97.8 feet; thence, with a 229.2-foot radius curve to the left, 333.9 feet; thence, N. 49°38′ E., 119.8 feet; thence, with a 573.0-foot radius curve to the right, 132.5 feet; thence, N. 62°53′ E., 288.9 feet; thence, with a 409.3-foot radius curve to the left, 191.2 feet; thence, N. 36°07′ E., 107.8 feet; with a 409.3-foot radius curve to the left, 191.2 feet; thence, N. 36°07′ E., 107.8 feet; thence, with a 143.2-foot radius curve to the right, 128.8 feet; thence, N. 87°39′ E., 83.8 feet; thence, with a 286.5-foot radius curve to the left, 111.4 feet; thence, N. 65°23′ E., 169.6 feet; thence, with a 286.5-foot radius curve to the left, 208.5 feet; thence, N. 23°41′ E., 58.3 feet; thence, with a 286.5-foot radius curve to the right, 84.1 feet; thence, N. 40°30′ E., 94.5 feet; thence, with a 143.2-foot radius curve to the left. with a 143.2-foot radius curve to the left, 95.3 feet; thence N. 2°23' E., 89.3 feet; thence, with a 143.2-foot radius curve to the right, 31.5 feet to survey station 42+75 where the center line of the relocated road crosses the northerly line of the United States of America's land.

A strip of land lying 30 feet on each side of the center line, beginning at a point where

the relocated road; thence, with a 1,145.9-foot radius curve to the left, 5.7 feet; thence, N. 49°40′ E., 49.7 feet; thence, with a 114.6-foot radius curve to the right, 155.9 feet; thence, S. 55°22′ E., 588.8 feet; thence, with a 954.9-foot radius curve to the right, 271.4 feet; thence, S. 36°05′ E., 126.9 feet; thence, with an 881.5-foot radius curve to the left, 989.4 feet; thence, N. 79°37′ E. 1878 feet 989.4 feet; thence, N. '9°37' E., 187.8 feet; thence, with a 954.9-foot radius curve to the right, 886.5 feet; thence, S. 47°12' E., 10.4 feet to survey station 81+69 where the center line of the relocated road crosses the easterly line of the United States of America's land

Joe Brown Highway Murphy to Hanging Dog Creek—Project 05302-4023. A strip of land lying on each side of the center line of a section of relocated road on Joe Brown Highway at Hanging Dog Creek, Cherokee County, North Carolina, and with the privilege, subject to the approval of the United States Forest Service, of doing any necessary work in the maintenance of drainage ditches and other necessary road accessories which may lie outside the limits of the right of way as described and on abuting property of the United States of American ica, in the custody, control, and possession of the United States Forest Service, the center line of the relocation and the various widths of the strip being more particularly described as follows:

described as follows:

A strip of land lying 30 feet on each side of the center line, beginning at a point in the center of the existing road location approximately 130 feet N. 56° E.; thence approximately 100 feet in a southeasterly direction along the center line of the existing road, from a corner common to the United States of America's tract FBR-348, the prop-erty of Rufus Carter and the property of G. Will Dockery et ux, said point being desig-nated as survey station 0+00 on the center line of the relocated road; thence, S. 66°14' E., 259.8 feet; thence, with a 954.9-foot radius curve to the right 265.6 feet; thence, S. 50°18' E., 90.6 feet; thence, with a 477.5-foot radius curve to the left, 668.6 feet; thence, N. 49°28' E., 160.9 feet; thence, with a 143.2-foot radius curve to the right 220.0 feet; thence, S. 42°32′ E., 250.3 feet; thence with a 249.1-foot radius curve to the left, 285.1 feet; thence, N. 71°54′ E., 75.1 feet to survey station 22+76 where the center line of the relocated road crosses the easterly line of the United States of America's land.

A strip of land lying 30 feet on each side of the center line, beginning at a point where the center line of the relocated road crosses the northwesterly line of the United States of America's land, said point being designated approximately as survey station 90+80 on the center line of the relocated road; thence, with a 191.0-foot radius curve to the right, approximately 50.0 feet to approximate survey station 91+30 where the center line of the relocated road crosses the northeasterly line of the United States of America's

Cane Creek Road at N. C. State Highway No. 64—Project 05302-4031.

A strip of land lying on each side of the center line of a section of relocated road between North Carolina State Highway No. 64 at King's School and Cane Creek, in Cherokee County, North Carolina, and with the privilege, subject to the approval of the United States Forest Service, of doing any necessary work in the maintenance of drainage ditches and other necessary road accessions. sories which may lie outside the limits of the right of way as described and on abutting property of the United States of America, in the custody, control, and possession of the United States Forest Service, the center line of the relocation and the various widths of the strip being more particularly described as

A strip of land lying 30 feet on each side

center line of the relocated road; thence S. 48°41′ E., 299.4 feet; thence, with a 286.5-foot radius curve to the right, 90.0 feet; thence, S. 30°40′ E., 108.6 feet to survey station 19+00 where the center line of the relocated road ends in the center of the existing road location.

4. Road Rights of Way to be Granted to Private Land Owners:

Grape Creek Road at Joe Brown High-

way—Project 5–5002.
A tertiary road located in the 5th Civil District, Cherokee County, North Carolina, beginning at the relocated Joe Brown Highway 0.7 mile west of the Grape Creek Bridge and extending in a northerly direction 0.25 mile to connect with an existing private road.

McClure Crisp Road at Cane Creek—Project

5-5006

A tertiary road situated in Cherokee County, North Carolina, beginning at the re-located North Carolina Highway No. 64, 0.09 mile east of the Cane Creek Bridge and extending in a southerly direction 0.20 mile to connect with an existing road. Raminger Creek Road—Project 5-5007.

A tertiary road situated in Cherokee County, North Carolina, beginning at the reconstructed North Carolina State Highway No. 64, approximately 100 feet west of the Raminger Creek Bridge and extending in a southerly direction 0.15 mile to connect with an existing road.

Ogreeta Cemetery-Project 5-5010.

A tertiary road located in Cherokee County, North Carolina, in the 5th Civil District, Beaver Dam Township, beginning at the Joe Brown Highway approximately 200 feet south of the Ogreeta Baptist Church and extending 0.14 mile in a westerly direction to connect with the road serving the Ogreeta

connect with the road serving the Ogreeta Public Cemetery.

The positions of monuments and direc-tions of lines given in the above description are based on the North Carolina State Co-ordinate System, Lambert Projection, as es-tablished by the U. S. Coast and Geodetic Survey; the origin for this coordinate system Survey; the origin for this coordinate system being at Latitude  $33^{\circ}45'$  N. and Longitude  $79^{\circ}00'$  W., and having been assigned a value of X=2,000,000 feet and Y=0 feet. The monuments designated in the above description as "TVA monuments" are concrete monuments. ments in the tops of which are set stamped bronze plates, similar monuments have been set as reference marks at all corners except those on the Corporation Line of the City of Murphy, those on the shores of Hiwassee Lake, and those at which governmental agencies other than the Tennessee Valley Authority have set monuments.

Authority grants unto Department, its agents and servants, the right of access to and use of Authority's lands between high and low water mark on Hiwassee Lake which adjoins those lands Authority's interest in which is hereby transferred and assigned to Department, together with the right of access to and use of the waters of said lake, for the purpose of constructing and maintaining thereon boating and recreational facilities, piers, docks, and related equipment, and of performing all other acts which may be reasonably necessary to the administration and conduct of the lands, Authority's interest in which is transferred and assigned hereby, as a part of the national forest, and subject to the terms and conditions herein con-

Excepted from this assignment and A strip of faint lying so feet on each side of the center line, beginning at a point where the center line of the relocated road crosses the westerly line of the United States of America's land, said point being designated as survey station 49+00 on the center line of the westerly line of the United States of America's land, said point being designated as survey station 14+03, on the total of 475.7 acres, more or less, which trol and shoreline sanitation. Authority are portions of the lands hereby assigned and transferred, being the tracts numbered FBR-221, 223, 247, 286, and 490, as shown on Tennessee Valley Authority Land Maps bearing File Nos. 8-4162-12.9; 14.16; 16.12 and 18.11; together with full and free access to all parts of said land tracts in order that the Authority, and its assigns may enter upon said lands and prospect for mine, process, remove, and dispose of said talc deposits.

The assignment and transfer to Department of the right of possession and all other right, title, or interest to the above-described property now possessed by Authority shall be effective so long as said property is administered and operated as a part of the national forest to provide a maximum of watershed protection and subject to the terms and conditions herein contained; and in the event said property shall at any time cease so to be administered then the right of possession and all other right, title, and interest herein assigned and transferred by Authority shall thereupon revert to and become the property of Authority automatically and without the necessity for the institution by it of any legal proceedings therefor whatsoever.

Authority in no way warrants the extent of its interest in the said property assigned and transferred hereby; but any interest which may hereafter be acquired by Authority in and to any of said lands shall pass to Department subject to the terms and conditions hereof automatically and without the necessity of any new and separate transfers or assignments thereof.

- 2. Department agrees to administer and operate said premises as part of the national forest in a manner to afford maximum watershed protection, subject to the terms and conditions herein contained. None of said lands shall be resold or exchanged or opened to entry excepting as may be agreed upon by the parties hereto.
- 3. Authority reserves the unrestricted right in perpetuity to make whatever changes may be necessary or desirable in the facilities for the storage, use, or distribution of water and to construct, maintain, and operate such additional structures and facilities as it may deem necessary to carry out its programs of flood control by water storage in the river, navigation, and incidental power, as authorized by the Tennessee Valley Authority Act of 1933, as amended. Authority reserves further: the right of ingress and egress at all times to and from any point in the reservoir; the right to operate the reservoir and fluctuate the water level thereof at any time and to any height; the right to enter upon any part of the above described land and perform any acts which it may deem neces-

under five certain tracts, containing a sary for the furtherance of malaria conlikewise reserves for itself and for its assigns the right to maintain and operate any electric power transmission and distribution lines and telephone and telegraph lines now owned by it and located on the lands above described, together with the right to construct, operate, and maintain such additional transmission. distribution, telephone, and telegraph lines on said lands as it may later be deemed necessary. In the exercise of these rights reasonable consideration shall be given to the rights, interests, and programs of both parties hereto.

- 4. It is understood by the parties hereto that they shall agree and cooperate on the promotion of mutual interests in this area as set out in memoranda of understanding exchanged by their duly authorized agents.
- 5. Nothing herein contained shall be construed to affect in any way the powers given to Authority by section 26 (a) of the Tennessee Valley Authority Act, as amended, with respect to the approval of all structures on the rivers of the Tennessee River system.

In witness whereof, the parties hereto have caused this instrument to be executed by their duly authorized officers on this the day and year first above written.

> TENNESSEE VALLEY AUTHORITY, By GORDON R. CLAPP,

General Manager.

Attest:

L. D. DUNLAP. Assistant Secretary.

UNITED STATES OF AMERICA, June 6, 1940. [SEAL]

By H. A. WALLACE, Secretary. United States Department of Agriculture.

I, Franklin D. Roosevelt, President of the United States of America, by virtue of the power vested in me by Section 4 (k) of the Tennessee Valley Authority Act of 1933 (48 Stat. 58), as amended (49 Stat. 1075, 1076, 1080), do hereby approve the foregoing assignment and transfer by the Tennessee Valley Authority to the United States Department of Agriculture for the use and benefit of the Forest Service of the Department of Agriculture, and by virtue of the power vested in me by Section 24, Chapter 561, of the Act of March 3, 1891 (26 Stat. 1095, 1103), as amended (16 U.S.C. 471), and by the Act of June 4, 1897 (30 Stat. 11, 34, 36), do proclaim that the lands transferred and assigned thereby, and subject to the terms and conditions thereof, are included in and reserved as a part of the Nantahala National Forest.

> FRANKLIN D ROOSEVELT President of the United States.

[F. R. Doc. 40-4906; Filed, November 15, 1940; 11:15 a. m.]

ITV-567991

AGREEMENT OF TRANSFER FROM TENNESSEE VALLEY AUTHORITY TO FOREST SERVICE. DEPARTMENT OF AGRICULTURE

LANDS IN POLK COUNTY, TENNESSEE

This agreement of transfer, made and entered into this 12 day of August, 1940, by and between Tennessee Valley Authority, a corporation organized and existing under and by virtue of an act of Congress known as the Tennessee Valley Authority Act of amended (hereinafter called "Authority"), party of the first part, and United States Department of Agriculture, for the use and benefit of the Forest Service of the Department of Agriculture (hereinafter called "Department"). party of the second part;

Witnesseth: Whereas, Authority is authorized by the Tennessee Valley Authority Act to acquire in the name of and hold as agent for the United States of America such real property as it deems necessary or convenient in the transaction of its business; and

Whereas, in the purchase of electric utility properties of The Tennessee Electric Power Company pursuant to the provisions of 53 Stat. 1083, Authority as agent for the United States of America has acquired large tracts of land; and

Whereas, said lands are located entirely within or contiguous to the boundaries of the Cherokee National Forest, as proclaimed by the President of the United States; and

Whereas, the use and administration of said lands by Department as a part of the Cherokee National Forest as hereinafter provided will be entirely consistent with the purposes for which said lands were acquired; and

Whereas, no permanent dam, hydraulic power plant, fertilizer plant, or munitions plant is located on those portions of said lands which are hereinafter described;

Whereas, Department is authorized and desires to obtain the right of possession, control, and custody of said hereinafter-described lands and to administer the same as a part of the Cherokee National Forest;

Now, therefore, in consideration of the premises and of the mutual covenants herein contained, the parties hereto, subject to the approval of the President of the United States, covenant and agree as follows:

1. Authority hereby assigns and transfers to Department for the use and benefit of the Forest Service as a part of the Cherokee National Forest the right of possession and all other right, title, or interest that it may have in and to the following lands situated in Polk County, Tennessee, conveyed to the Tennessee Valley Authority and the United States of America by the Tennessee Utilities

Corporation by deed dated August 15, 1939, recorded in Deed Book 34, pages 1-37, in the Register's office of Polk County, Tennessee, and more particularly described as follows:

- 1. The following lands conveyed to the Tennessee Electric Power Company by the Tennessee Power Company by deed dated July 25, 1922, recorded in Deed Book 20, page 448 in the Register's office of Polk County, Tennessee, being the property formerly belonging to the Tennessee Power Company known as the Ocoee Reservoirs One, Two, and Three, and being further described as follows:
- (1) A tract of land containing 5,678.14 acres, designated by the Authority as tracts 1–OR 1 to 1–OR 50, inclusive, for pondage and other purposes, and upon a part of which the dam and hydroelectric works No. 1, sometimes called the "Lower Development," have been constructed, and being a part of the land conveyed by the Eastern Tennessee Power Company to the Tennessee Power Company by deed dated April 25, 1912, and recorded in Deed Book 12, page 325, in said Register's office.
- (2) Additional tracts of land at or near Parksville, Tennessee, aggregating 214.0 acres, designated by the Authority as tracts 1–OR 99 and 1–OR 100, a part of which land was conveyed to the Union Improvement Company by the Cleveland Lumber and Manufacturing Company by deed dated August 20, 1910, and recorded in Book 10, page 562, in the Register's Office of said County, and the remainder of which was conveyed by the heirs of R. F. McClary to the Union Improvement Company by deed dated August 24, 1910, recorded fn Book 11, pages 56 and 57 of the Register's Office of said County, both of which tracts, aggregating 214.0 acres, are a part of the land conveyed by the Eastern Tennessee Power Company to the Tennessee Power Company by deed dated April 25, 1912, above referred to.

(3) Additional tracts on the Ocoee River aggregating 2,013.0 acres, more or less, designated by the Authority as tracts 3–OR 103 to 3–OR 112, inclusive, 3–OR 115, and 2–OR 116, constituting land often designated as the "Upper Development," and being the same 2,013.0 acres described and referred to in the deed from the Tennessee Power Company to the Tennessee Electric Power Company dated April 25, 1912, above referred to.

(4) Tracts of land aggregating 154.3 acres, more or less, designated by the Authority as tracts 2-OR 115-A-1, 2-OR 115-A-2, and 2-OR 115-A-3, and being the same land described in deed from the Tennessee Timber Company to the Tennessee Power Company dated March 5, 1917, recorded in Book 17, page 37, and in Book 17, page 47, in the Register's Office of said County.

(5) Tracts of land aggregating 203.06 acres, more or less, designated by the Authority as tracts 3-OR 115 B-1, 3-OR 115 B-2, 3-OR 115-B-3, 2-OR 115 B-4, & 3-OR 115-B-5, and being the same land described in the deed from the Ocoee Timber Company to the Tennessee Power Company dated February 19, 1917, recorded in Book 17, page 10, in the Register's Office of said County.

19, 1917, recorded in Book 17, page 10, in the Register's Office of said County.

(6) A tract of land containing 129.0 acres, more or less, designated by the Authority as tract 2-OR 118, and being the same land conveyed by the Alaculsy Lumber Company to the Tennessee Power Company by deed dated June 10, 1912, recorded in Book 12, page 493, in the Register's Office of said County.

2. The following lands which were acquired by the Tennessee Electric Power Company subsequent to the conveyance from the Tennessee Power Company, above referred to, and more particularly described as fol(1) A tract of land containing 9.8 acres, more or less, designated by the Authority as tract 1-OR 98, being the same land conveyed to the Tennessee Electric Power Company by deed from Johnson and Webb dated February 11, 1929, recorded in Book 25, page 544, in the Register's Office of said County, and by deed from B. M. Webb dated July 19, 1938, and recorded in Book 33, page 152, in said Register's Office, less and excepting 2.5 acres thereof conveyed by The Tennessee Electric Power Company to B. M. Webb in the deed dated July 19, 1938, recorded in Book 33, page 152, which was an exchange deed.

(2) Two tracts of land aggregating 302.0 acres, more or less, designated by the Authority as tract 3-OR 117, which were acquired by the Tennessee Electric Power Company by two deeds from the Tennessee Copper Company, one of which is dated September 15, 1926, and recorded in Book 24, page 554 of the Register's Office of said County, and the other of which is dated September 15, 1926, and recorded in Book 24, page 557, of the Register's Office of said county, excepting any and all minerals and mining rights in said land comprising 302.0 acres, which were expressly reserved by said Tennessee Copper Company.

(3) A tract of land containing 631.1 acres,

(3) A tract of land containing 631.1 acres, more or less, designated by the Authority as tract 3-OR 119-A, which was acquired by the Tennessee Electric Power Company by patents from the State of Tennessee, both of which are recorded in the Register's Office of Polk County, Tennessee—one being dated March 12, 1931, and recorded in Book 29, page 105, and the other being dated March 12, 1931, recorded in Book 29, page 111.

(4) Tracts of land aggregating 781.0 acres,

(4) Tracts of land aggregating 781.0 acres, more or less, designated by the Authority as tracts 1-OR 119-B-1, 1-OR 119-B-2, 1-OR 119-B-3, 3-OR 119-B-4, 3-OR 119-B-5, 3-OR 119-B-6, 3-OR 119-B-7 and 1-OR 119-B-8, and being the same land conveyed to the Tennessee Electric Power Company by George B. Adams by deed dated April 24, 1925, recorded in Book 23, page 177, Register's Office of said County.

and excluding from the hereinabove described properties the following lands containing 2,435.4 acres, more or less:

1. All that portion of the said land lying on the upstream side of the Parksville Dam and having the elevation of its present ground surface below the plane of the 838 foot (M S L) contour, and containing 2,000 acres, more or less.

2. All that portion of the said land lying in section 23, township 1 south, range 2 east, at the Parksville village and damsite area, except approximately 15 acres of tract 1–OR 1 (the excepted 15 acres being that portion of tract 1–OR 1 lying between the upstream side of the dam and the east line of section 23, which has the elevation of its present ground surface below the plane of the 838 foot (M S L) contour), being the remaining portion of tract 1–OR 1 and all of tracts 1–OR 98, 1–OR 99, and 1–OR 100, containing an aggregate total of 268.8 acres, more or less, 3. All that portion of the said land lying

3. All that portion of the said land lying in sections 2 and 11, township 2 south, range 3 east, at the Ocoee No. 2 power station and village site, except approximately 34 acres of tract 1-OR 16 (the excepted 34 acres being that portion of tract 1-OR 16 which has the elevation of its present ground surface below the plane of the 838 foot (M S L) contour), being the remaining portion of tract 1-OR 16 and a portion of tract 2-OR 118, containing an aggregate total of 130 acres, more or less.

4. All of that portion of the said land lying

4. All of that portion of the said land lying in the SW¼ of section 5, township 2 south, range 4 east, at the No. 2 diversion dam, including a portion of tract 2-OR 115-A-3, and containing 36.6 acres, more or less.

The above described lands contain a net acreage to be transferred of 7,680 acres, more

or less, subject to such rights, if any, as may be vested in the public to existing roads and highways, and are shown on maps contained in the map files of the Authority and designated as follows:

Drawing No. 22402—Ocoee River Development Map, Development No. 1, Parksville, Index Map, Sheet No. 1A, Scale 1 inch=1,000 feet.

Drawing No. 22402—Ocoee River Development Map, Development No. 2, Caney Creek, Index Map, Sheet No. 6A, Scale 1 inch=1,000 feet.

Drawing No. 22402—Ocoee River Development Map, Development No. 3, Index Map, Sheet No. 7A Scale 1 inch=1,000 feet.

Note: The elevation of 838 feet, given in the above description is based on a datum conforming to the United States Coast and Geodetic Survey 1936 supplementary adjustment.

all as more fully shown and described on the sketch and map marked "Exhibit A" attached hereto and made a part hereof."

Authority grants to Department, its agents and servants, the right of access to and use of Authority's lands between high and low water mark on Parksville Lake, and on any other lakes which may hereafter be artificially created by Authority which adjoin those lands Authority's interest in which is hereby transferred and assigned to Department, together with the right of access to and use of the waters of said lakes for the purpose of constructing and maintaining thereon boating and recreational facilities, piers, docks, and related equipment. and of performing all other acts which may be reasonably necessary to the administration and conduct of the lands Authority's interest in which is transferred and assigned hereby, as a part of the national forest, and subject to the terms and conditions herein con-

The assignment and transfer to Department of the right of possession and all other right, title, or interest to the above-described property now possessed by Authority shall be effective so long as said property is administered and operated as a part of the national forest to provide a maximum of watershed protection and subject to the terms and conditions herein contained; and in the event said property shall at any time cease so to be administered then the right of possession and all other right. title, and interest herein assigned and transferred by Authority shall thereupon revert to and become the property of Authority automatically and without the necessity for the institution by it of any legal proceedings therefor whatsoever.

Authority in no way warrants the extent of its interest in the said property assigned and transferred hereby; but any interest which may hereafter be acquired by Authority in and to any of said lands shall pass to Department subject to the terms and conditions hereof automati-

Not filed as part of the original document.

new and separate transfers or assignments thereof.

2. Department agrees to administer and operate said premises as part of the national forest in a manner to afford maximum watershed protection, subject to the terms and conditions herein contained. None of said lands shall be resold or exchanged or opened to entry excepting as may be agreed upon by the

parties hereto.

3. Authority reserves the unrestricted right in perpetuity to make whatever changes may be necessary or desirable in the facilities for the storage, use, or distribution of water and to construct, maintain, and operate such additional structures and facilities as it may deem necessary to carry out its programs of flood control by water storage in the river, navigation, and incidental power, as authorized by the Tennessee Valley Authority Act of 1933, as amended. Authority reserves further the right of ingress and egress at all times to and from any point in the reservoir; the right to operate the reservoir and fluctuate the water level thereof at any time and to any height; the right to enter upon any part of the above-described land and perform any acts which it may deem necessary for the furtherance of malaria control and shoreline sanitation. Authority likewise reserves for itself and for its assigns the right to maintain and operate any electric power transmission and distribution lines, telephone and telegraph lines, and water flumes and railways, and other facilities now owned by it on the above-described lands, together with the right to construct, operate, and maintain such additional transmission, distribution, telephone, and telegraph lines, water flumes, and railways, and other facilities on said lands as it may hereafter deem necessary. In the exercise of these rights reasonable consideration shall be given to the rights, interests, and programs of both parties hereto.

4. Department will hereafter, whenever requested so to do by Authority, make available to Authority any lands along the Ocoee River within the boundaries of the Cherokee National Forest and administered by it which may be needed by Authority, in its judgment, for its programs of navigation, flood

control, or power.

5. It is understood by the parties hereto that they shall agree and cooperate on the promotion of mutual interests in this area as set out in memoranda of understanding exchanged by their duly authorized agents.

6. Nothing herein contained shall be construed to affect in any way the powers given to Authority by section 26 (a) of the Tennessee Valley Authority Act of 1933, as amended, with respect to the approval of all structures on the rivers of the Tennessee River System.

have caused this instrument to be exe- has acquired large tracts of land; and

cally and without the necessity of any cuted by their duly authorized officers, the day and year first above written.

> TENNESSEE VALLEY AUTHORITY, By GORDON R. CLAPP,

General Manager.

Attest:

L. D. DUNLAP, Assistant Secretary.

UNITED STATES DEPARTMENT [SEAL] OF AGRICULTURE, By GROVER B. HILL, Acting Secretary.

I, Franklin D. Roosevelt, President of the United States of America, by virtue of the power vested in me by section 4 (k) of the Tennessee Valley Authority Act of 1933 (48 Stat. 58), as amended (49 Stat. 1075, 1076, 1080), do hereby approve the foregoing assignment and transfer by the Tennessee Valley Authority to the United States Department of Agriculture for the use and benefit of the Forest Service of the Department of Agriculture, and by virtue of the power vested in me by section 24, chapter 561, of the Act of March 3, 1891 (26 Stat. 1095, 1103), as amended (16 U.S.C. 471), and by the Act of June 4, 1897 (30 Stat. 11, 34, 36), do proclaim that the lands transferred and assigned thereby, and subject to the terms and conditions thereof, are included in and reserved as a part of the Cherokee National Forest.

> FRANKLIN D ROOSEVELT President of the United States.

[F. R. Doc. 40-4907; Filed, November 15, 1940 11:15 a. m.]

### ITV-567981

AGREEMENT OF TRANSFER FROM TENNESSEE VALLEY AUTHORITY TO FOREST SERVICE, DEPARTMENT OF AGRICULTURE

LANDS IN FANNIN COUNTY, GEORGIA

This agreement of transfer, made and entered into this 12 day of August 1940, by and between Tennessee Valley Authority, a corporation organized and existing under and by virtue of an Act of Congress known as the Tennessee Valley Authority Act of 1933, as amended (hereinafter called "Authority"), party of the first part, and United States Department of Agriculture, for the use and benefit of the Forest Service of the Department of Agriculture (hereinafter called "Department"), party of the second part;

Witnesseth: Whereas, Authority is authorized by the Tennessee Valley Authority Act to acquire in the name of and hold as agent for the United States of America such real property as it deems necessary or convenient in the transaction of its business; and

Whereas, in the purchase of electric utility properties of The Tennessee Electric Power Company pursuant to the provisions of 53 Stat. 1083, Authority as In witness whereof, the parties hereto agent for the United States of America

Whereas, said lands are located entirely within the boundaries of the Chattahoochee National Forest, as proclaimed by the President of the United States; and

Whereas, the use and administration of said lands by Department as a part of the Chattahoochee National Forest as hereinafter provided will be entirely consistent with the purposes for which said lands were acquired; and

Whereas, no permanent dam, hydraulic power plant, fertilizer plant, or munitions plant is located on those portions of said lands which are hereinafter described: and

Whereas, Department is authorized and desires to obtain the right of possession, control, and custody of said hereinafter-described lands and to administer the same as a part of the Chattahoochee National Forest;

Now, therefore, in consideration of the premises and of the mutual covenants herein contained, the parties hereto, subject to the approval of the President of the United States, covenant and agree as follows:

1. Authority hereby assigns and transfers to Department for the use and benefit of the Forest Service as a part of the Chattahoochee National Forest the right of possession and all other right, title, or interest that it may have in and to the following lands located in Fannin County, Georgia, conveyed to the Tennessee Valley Authority and the United States of America by the Tennessee Utilities Corporation by deed dated August 15, 1939, recorded in Deed Book 14, pages 153 to 160, in the Superior Court Clerk's office of Fannin County, Georgia, and more particularly described as follows:

The lands located in Fannin County, Georgia, conveyed by the Toccoa Power Company to the Toccoa Electric Power Company by that certain deed dated February 20, 1926. and recorded in Deed Book 7, page 570 in the office of the Superior Court Clerk for said County in said State, being all the lands acquired by the Toccoa Power Company in said county prior to the execution of said deed, and being the same lands acquired by Toccoa Power Company as hereinafter shown.

Also, in addition to the above and including same, all that certain property located in Fannin County, Georgia, conveyed by the Toccoa Electric Power Company to The Ten-Toccoa Electric Power Company to the remeasee Electric Power Company by that certain deed dated January 6, 1936, and recorded in Deed Book 11, page 418, in the Superior Court Clerk's Office, Fannin County, Georgia, as hereinafter shown.

For a particular description of the property herein conveyed, reference is made to the various instruments hereinafter listed and referred to.

All that prop-1. Blue Ridge development. 1. Blue Ridge development. All that property consisting of 7,422.23 acres of land, more or less, acquired in fee simple under and by virtue of deeds from the various grantors hereinbelow set out, said deeds being recorded in the office of the Superior Court Clerk for Fannin County, Georgia, in accordance with the data shown below opposite the names of the respective grantors, reference being hereby specifically made to each ence being hereby specifically made to each of said deeds for a detail description of the property thereby conveyed:

			U.Z.	This, butterday, trocks	1007 20, 2020			-
Page	<b>发展的工程的设施数据等数据等</b>	cquired by deed dated y, Georgia, deeds re- accordance the said C. specifically	Page	288228888888888888888888888888888888888	Inling Ridge 1,690 1,690 1,000 a, in the a net	Net acres	45.07 18.94 175.93	12.2 13.04 35.40 157.40
Book	raraaaaaaaaa	acquired by deed dated ity, Georgia n deeds re- accordance the said C, specifically	Book	000000000000000000000000000000000000000	s contain of the 1, of the 1, site area, lying in alming a			00 00 00 0 00 00
Date	10-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2	ay right of way acquired by that certain deed dated for Fannin County, Georgia, fully described in deeds reunty, Georgia, in accordance tive grantors to the said C. Grence is hereby specifically operty conveyed.	Date	**************************************	ollowing lands contain am side of the Blue Ri ow the plane of the 1, Ridge dam site area, tract BRR 2 lying in lot 274, containing a follows:	Acres below 1,690 foot pool contour		68.10
		vay right, by that it for Fan fully de nunty, Genuty, Gerence it ference it coperty of		-	he upstream side of turface below the plan or less. the Blue Ridge dam ritions of tract BRR. road in lot 274, cor nated as follows:	Total	45.07 18.94 217.73	22112
Grantee	Tocos Power Co. Tuccos Britaner Co.	and to a certain highway right of way a m C. Wright, Trustee, by that certain e Superior Court Clerk for Fannin County right of way being fully described in rt Clerk for Fannin County, Georgia, in he names of the respective grantors to Power Company. Reference is hereby d description of the property conveyed.	Grantee	C. Wright, Trustee	escribed properties the rities lying on the upst seent ground surface logo acres, more or less, foo acres, more or less, erties lying in the Bi 8, and those portions of the old Dial road at further designated at further designated			
Grantor	Road Commissioners L. W. Raiston M. C. Ingle M. J. Green M. J. Green M. J. Green F. Henry Ellen Sanders E. Emmerdell Alsobrook A. L. Farmer J. F. Holden M. J. Sond M. W. J. L. Raiston E. H. Green U. S. of A. Mrs. E. A. King	Also, all right, title, and interest in and to a certain highway right of way acquired the Toccoa Electric Power Company from C. Wright, Trustee, by that certain deed dat June 4, 1931, recorded in the office of the Superior Court Clerk for Fannin County, George in Deed Book 14, page 88, said highway right of way being fully described in deeds 1 corded in the office of the Superior Court Clerk for Fannin County, Georgia, in accordat with the data shown below opposite the names of the respective grantors to the said Wright, Trustee, or the Toccoa Electric Power Company. Reference is hereby specifical made to each of said deeds for a detailed description of the property conveyed.	Grantor	A. L. Prince Dr. J. B. Chastain Th. Flowers A. C. Rigie A. D. Smith Eliza Fain Gen Hemphill A. L. Prince J. W. Hemphill J. J. Crawford Callie C. Fain Clyde Quentrell Clyde Quentrell Clyde Quentrell D. E. Aaron	and excluding from the hereinabove described properties the following lands containing 3,045 acres, more or less:  (a) All that portion of the said properties lying on the upstream side of the Blue Ridge Dam and having the elevation of its present ground surface below the plane of the 1,690 foot (M. S. L.) contour, and containing 2,600 acres, more or less.  (b) Those portions of the said properties lying in the Blue Ridge dam site area, in land lots 230, 231, 237, 238, 239, 267, 268, and those portions of tract BRR 2 lying in the northwest corner of lot 273 and north of the old Dial road in lot 274, containing a net acreage of approximately 445.07 acres, and further designated as follows:	Tract No.		
Tract No.	BRR73 BRR74 BRR75 BRR75 BRR 74 BRR 76 BRR 86 BRR 86	Also, all the Toccoa June 4, 193 in Deed Bo corded in the with the di with the di made to each m	Tract No.	BRR 117 BRR 118	and excludi 3,045 acres, (a) All th Dam and ha foot (M. S. I (b) Those land lots 23 northwest o		BRR 72 BRR 78	BRR5A BRR5A BRR3
Page	20122222222222222222222222222222222222	124238234	1212	88888888888888888888888888888888888888		626 374 882	7 274	
Book	144664666644444444444444444444444444444	1-10-1-10-1-1-1-1-1-1	-1-00	***************************************	hear-rassers	O1-1-1-H	N B	ted Mar dated 1/
Date	2010 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9	200 - 101 - 100 -	9 3 25	######################################	2010 2010 2010 2010 2010 2010 2010 2010	12458 12858	3- 1-26	y deed da
Grantee				Toccos power Co. Toccos Power Co. Toccos Power Co. Toccos B. Power Co. Toccos Power Co.	Power Co.  Fower Co.  Fower Co.  Fower Co.  Fower Co.  Fower Co.  El. Power Co.	El. Power Co. Power Co. Power Co. Power Co.	Toccoa Power Co.	Power Company to W. H. Collins b ctric Power Company to the U. S. of J.
Grantor	Ada U. Buchanan The Team. El. Power Co The Team. El. Power Co C. Wright, Trustee J. W. Henry et al J. W. Henry et al C. Wright, Trustee N. A. Morris M. C. Miller N. A. Morris M. C. Smith et al M. C. Smith et al The Team. El. Power Co.1					111111	TI	1 Less 48.80 acres conveyed by BRR. 49.  Except 0.85 succenveyed by the Toccoa Electric Power Company to W. H. Collins by deed dated March 9, 1828, recorded in Deed Book 9, nage 461.  Except, 14.08 acres conveyed by the Toccoa Electric Power Company to the U. S. of A. by deed dated 14630,
Tract No.		BRR 16 BRR 17 BRR 19 BRR 20 BRR 22 BRR 22 BRR 22 BRR 23 BRR 23		122		BRR66 BRR67 BRR68 BRR68	BRR70	1 Less 48 80 a 2 Except 0.85 1928, recorded 2 Except 14.0

<sup>1</sup> Less 48.89 acres conveyed by BRR-49.

<sup>2</sup> Except 0.88 arc conveyed by the Toccos Electric Power Company to W. H. Collins by deed dated March 9, 1828, recorded in Deed Book 4, mag-461.

<sup>2</sup> Except 14.08 arrs conveyed by the Toccos Electric Power Company to the U. S. of A. by deed dated 1/6/30, recorded Deed Book 11, page 2.

2. Hydro plant site formerly owned by the city of Blue Ridge. All those certain tracts necessity for the institution by it of any or parcels of land lying and being in Fannin County, Georgia, particularly described as legal proceedings therefor whatsoever.

follows:

A. A part of Land Lot No. 182, 8th District, 2nd Section, of Fannin County, Georgia, beginning at a chestnut tree on the West bank of Fightingtown Creek and the East line of said Land Lot No. 182; thence N. 49°3′ W., 132.7 feet, more or less, to a post oak; thence S. 66°52′ W., 719 feet, more or less, to a stake on the bank of said creek; thence up and along said creek 1,310 feet, more or less, to the original South line of said Land Lot No. 182; thence N. 67°24′ East with the South line of said Land Lot No. 182; 526.5 feet, more or less, to the Southeast corner of said Land Lot No. 182; thence in a Northerly direction with the east line of said Land Lot No. 182, 1,120 feet, more or less, to the point of beginning.

point of beginning

point of beginning.

B. A part of Land Lot No. 183, 8th District, 2nd Section, of Fannin County, Georgia, beginning at the Southwest corner of said Land Lot No. 183; thence N. 87·24′ E., with the South line of said Land Lot No. 183. 567·2 feet, more or less, to a serves tree; thence N. 62°19′ E., 277.3 feet, more or less, to a post oak; thence N. 55°38′ E., 100.4 feet, more or less, to a black oak; thence N. 41°45′ E., 310.6 feet, more or less, to a white oak; thence N. 6°20′ W., 107.0 feet, more or less, to a stake; thence N. 81°56′ W., 197 feet, more or less, to a stake; thence N. 72°16′ W., 180.0 feet, more or less, to a stake; thence N. 35°17′ E., 237 feet, more or less, to a stake; thence N. 0°54′ E., 155 feet, more or less, to a white pine tree near the South bank of Fightingtown Creek; thence continuing N. 0°54′ E., 235 feet, more or less, to a bolly bush on the North bank of said creek; thence down and along the North or less, to a holly bush on the North bank of said creek; thence down and along the North bank of said creek 1,260 feet, more or less, to a stake; thence N. 48°03′ W., 50 feet, more or less, to a point in the West line of said Land Lot No. 183; thence in a Southerly direction with the West line of said Land Lot No. 183, 1,120 feet, more or less, to the point of beginning.

A and B designated by the Authority as tract CBRHP 2, described above, con-Tracts A and B designated by the Authority as tract CBRHP 2, described above, containing an aggregate of 37.33 acres, more or less, and being the same land conveyed by the City of Blue Ridge to the Toccoa Electric Power Company by deed dated November 29, 1927, and recorded in Deed Book 9, page 332, in the office of the Superior Court Clerk for Fannin County, Georgia, and conveyed by the Toccoa Electric Power Company to the Tennessee Electric Power Company by deed dated January 6, 1936, and recorded in Deed Book 11, page 418, in the office of said Clerk.

3. Dial development. All that property consisting of 1,782.24 acres of land, more or less, acquired in fee simple under and by virtue of deeds from the various grantors hereinbelow set out, said deeds being recorded in the office of the Superior Court Clerk for Fannin County, Georgia, in accordance with the data shown below opposite the names of the re-Tracts

County, Georgia, in accordance with the data shown below opposite the names of the respective grantors, reference being hereby specifically made to each of said deeds for a detail description of the property thereby conveyed:

Tract No.	Grantor	Grantee	Date	Book	Page
DRR 13 DRR 14 DRR 15 DRR 17 DRR 18 DRR 21 DRR 22 DRR 22 DRR 29 DRR 30 DRR 30	E. C. Tilley A. H. & A. F. Free W. C. Ledford L. A. Burkett J. H. Ray J. H. Ray Dovie Garland	Toccoa Power Company Toccoa El. Power Company Toccoa Power Company Toccoa Power Company	11-22-27 10-22-13 11-19-13	Z Z Z 1 Z 9 1 1 1 9 1 1 9 2 9 2 2 2 2 2 2 2 2 2 2	4 19 11 630 16 422 621 639 424 423 1

tracts BRR 177 to BRR 193, inclusive, which are also to be transferred and for which no acreage is specified, subject to such rights, if any, as may be vested in the public to existing roads and highways, and are shown on maps contained in the map files of the Authority and designated as follows:

Drawing No. 22403-Toccoa River Development Map, Development No. 4, Blue Ridge, Index Map, Scale 1 inch=1,000 feet.

Drawing No. 15808—Development No. 5, Dial Reservoir, Fannin County, Georgia, Toc-

coa Power Company, Date December, 1913, Scale 1 inch—800 feet.

Drawing No. 22403—Toccoa River Development, Development No. 4, to Copperhill, Sheet 1 of 4 Sheets, Scale 1 inch—400 feet.

Note: The elevation of 1,690 feet given in the above description is based on a datum conforming to the United States Coast and Geodetic Survey 1936 supplementary adjust-

all as more fully shown and described on the sketch and map marked "Exhibit A" attached hereto and made a part hereof.1

Authority grants to Department, its agents and servants, the right of access to and use of Authority's lands between high and low water mark on Blue Ridge Lake adjoining those lands Authority's

1 Not filed as a part of the original document.

The above described lands contain a net interest in which is hereby transferred acreage to be transferred of 6,197 acres, more or less, not including highway right of way with the right of access to and use of with the right of access to and use of the waters of said lake for the purpose of constructing and maintaining thereon boating and recreational facilities, piers, docks, and related equipment, and of performing all other acts which may be reasonably necessary to the administration and conduct of the lands Authority's interest in which is transferred and assigned hereby, as a part of the national forest, and subject to the terms and conditions herein contained.

> The assignment and transfer to Department of the right of possession and all other right, title, or interest to the above-described property now possessed by Authority shall be effective so long as said property is administered and operated as a part of the national forest to provide a maximum of-watershed protection and subject to the terms and conditions herein contained; and in the event said property shall at any time cease so to be administered then the right of possession and all other right, title, and interest herein assigned and transferred by Authority shall thereupon revert to and become the property of Authority automatically and without the

legal proceedings therefor whatsoever.

Authority in no way warrants the extent of its interest in the said property assigned and transferred hereby; but any interest which may hereafter be acquired by Authority in and to any of said lands shall pass to Department subject to the terms and conditions hereof automatically and without the necessity of any new and separate transfers or assignments thereof.

- 2. Department agrees to administer and operate said premises as part of the national forest in a manner to afford maximum watershed protection, subject to the terms and conditions herein contained. None of said lands shall be resold or exchanged or opened to entry excepting as may be agreed upon by the parties hereto.
- 3. Authority reserves the unrestricted right in perpetuity to make whatever changes may be necessary or desirable in the facilities for the storage, use, or distribution of water and to construct, maintain, and operate such additional structures and facilities as it may deem necessary to carry out its programs of flood control by water storage in the river, navigation, and incidental power, as authorized by the Tennessee Valley Authority Act of 1933, as amended. Authority reserves further the right of ingress and egress at all times to and from any point in the reservoir; the right to operate the reservoir and fluctuate the water level thereof at any time and to any height; the right to enter upon any part of the above-described land and perform any acts which it may deem necessary for the furtherance of malaria control and shoreline sanitation. Authority likewise reserves for itself and for its assigns the right to maintain and operate any electric power transmission and distribution lines, telephone and telegraph lines, and water flumes and railways, and other facilities now owned by it on the abovedescribed lands, together with the right to construct, operate, and maintain such additional transmission, distribution, telephone and telegraph lines, water flumes, and railways, and other facilities on said lands as it may hereafter deem necessary. In the exercise of these rights reasonable consideration shall be given to the rights, interests, and programs of both parties hereto.
- 4. It is understood by the parties hereto that they shall agree and cooperate on the promotion of mutual interests in this area as set out in memoranda of understanding exchanged by their duly authorized agents.
- 5. Nothing herein contained shall be construed to affect in any way the powers given to Authority by section 26a of the Tennessee Valley Authority Act of 1933, as amended, with respect to the approval of all structures on the rivers of the Tennessee River System.

In witness whereof; the parties hereto have caused this instrument to be executed by their duly authorized officers, the day and year first above written.

TENNESSEE VALLEY AUTHORITY, By Gordon R. CLAPP,

General Manager.

Attest:

L. D. DUNLAP,
Assistant Secretary.

[SEAL] UNITED STATES DEPARTMENT OF AGRICULTURE,

By GROVER B. HILL,

Acting Secretary.

In the presence of— Hollis Schreiber. C. L. Loose.

I, Franklin D. Roosevelt, President of the United States of America, by virtue of the power vested in me by section 4 (k) of the Tennessee Valley Authority Act of 1933 (48 Stat. 58), as amended (49 Stat. 1075, 1076, 1080), do hereby approve the foregoing assignment and transfer by the Tennessee Valley Authority to the United States Department of Agriculture for the use and benefit of the Forest Service of the Department of Agriculture, and by virtue of the power vested in me by section 24, chapter 561, of the Act of March 3, 1891 (26 Stat. 1095, 1103), as amended (16 U.S.C. 471), and by the Act of June 4, 1897 (30 Stat. 11, 34, 36), do proclaim that the lands transferred and assigned thereby, and subject to the terms and conditions thereof, are included in and reserved as a part of the Chattahoochee National Forest.

FRANKLIN D ROOSEVELT
President of the United States.

[F. R. Doc. 40-4908; Filed, November 15, 1940; 11:16 a. m.]

# Notices

# WAR DEPARTMENT.

[Contract No. W 535 ac-15785 (3709)]

SUMMARY OF COST-PLUS-A-FIXED-FEE SUPPLY CONTRACT

CONTACTOR: CURTISS WRIGHT CORPORATION
(ST. LOUIS AIRPLANE DIVISION)

### Correction

The table of estimated costs in F. R. Doc. 40–4875 (filed on November 14, 1940 at 9:43 a. m.) appearing at page 4485 of the issue for Friday, November 15, 1940, is corrected to read as follows:

Item	Quantity	Estimated cost
1	Type C-46 airplanes. Spare parts for above airplanes. Data.	\$10, 631, 474, 00 1, 063, 147, 00 13, 036, 00
Total estimated cost.		11, 707, 657. 00

[Contract W 535 ac-15847 (3730)]

SUMMARY OF COST-PLUS-A-FIXED-FEE SUPPLY CONTRACT

CONTRACTOR: DOUGLAS AIRCRAFT COMPANY, INC.

### Correction

The table of estimated costs in F. R. Doc. 40–4874 (filed, November 14, 1940, at 9:42 a. m.) appearing at page 4486 in the issue for Friday, November 15, 1940, is corrected to read as follows:

Item	Quantity	Estimated cost
1 2 3 to 8, inclusive	* * Airplanes Spare parts Data	\$17, 249, 320, 00 1, 820, 280, 00 14, 536, 00
Total estimated		19, 084, 136, 00

# DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-175]

DISTRICT BOARD NO. 3 FOR THE ESTABLISH-MENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CER-TAIN MINES NOT HERETOFORE CLASSIFIED AND PRICED AND FOR THE MODIFICATION OF EFFECTIVE MINIMUM PRICES FOR THE COALS OF CERTAIN MINES

NOTICE OF AND ORDER FOR HEARING AND GRANTING, IN PART, TEMPORARY RELIEF

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on December 2, 1940, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue

said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before November 26, 1940.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matters concerned herewith are in regard to: (1) the establishment of effective minimum prices for the coals of certain mines located in District No. 3 for which coals price classifications and minimum prices have not heretofore been established and (2) the modification of effective minimum prices for the coals of certain mines.

It is further ordered, That, a reasonable showing of the necessity therefor having been made, pending final disposition of the petition in the above-entitled matter, temporary relief be, and it hereby is, granted as follows: Commencing forthwith the coals referred to in the schedules hereto annexed, marked "Temporary Schedule A-R and Temporary Schedule A-T", and made part hereof, shall be subject to minimum prices as provided in said Temporary Schedule A-R and Temporary Schedule A-R and Temporary Schedule A-R and Temporary Schedule A-T.

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division and proceedings instituted pursuant to Section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: November 6, 1940.

[SEAL]

H. A. GRAY, Director. Price

# TEMPORARY SCHEDULE A-R-TEMPORARY EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3 FOR ALL SHIPMENTS EXCEPT TRUCK

Nore: The material in this Temporary Schedule A-R is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Schedule No. 1 for this District and supplements thereto.

Alphabetical Listing of Code Members Having Railway Loading Facilities, Showing Price Classifications by Size Group Numbers

	16	# mg
	15	B B B B
	14	BB BB F
	13	mm m
	12	р в
	п	B B B
	10	DAHAMA DADAHAMAMA
Nos.	, CD	DAHALAGOD APAGO
Size group Nos.	80	DAHAMARAMADOD HALMON
Size	1	DEHLILL DERECTORD TALEGE
	9	DE I
	10	DESCRIPTION AND AND AND AND AND AND AND AND AND AN
		<b>S S</b>
120	4	
	60	E DESTRUCTION OF THE PROPERTY
	64	DESCRIPTION APPROX
44	-	DESCRIPTION APPER
Freigh	group No.	858577888888888888888888888888888888888
	Seam	Pittsburgh Bakerstown M. V. Froebert Sewell Pittsburgh Pittsburgh Pittsburgh Pittsburgh Pittsburgh M. V. Froeport Pittsburgh M. V. Froeport Pittsburgh M. V. Froeport Pittsburgh W. V. Froeport W. W. Froeport H. V. Kittsmig
	Mine name	Old Harold Persock Righter Righter Righter Gardinal Guy Hall Junior Junior Clark Cook Cook File Anna Williams Cooths Ratherine No. 3 Long Bros Neese Shirm Run Mary Lee Stevens Shay No. 2 Shay No. 2 Shay No. 2 Shay No. 2 Forter Snider
	Code member	Allewat, Michael Arthurdale Fuel Co. (John J. B. Stoetzer) Arthurdale Fuel Co. (John J. B. Stoetzer) Arthurdale Fuel Co. (Col Corp. Cardinal Sewell Mining Co. Cardinal Sewell Mining Co. Chestruit Ridge Coal Co. (Chas. G. Jeffries & Andy Mollinatth). Clark, John A. Jr. Clark, John Gal Co.) Rail Guy A. (Hall Coal Co.) Freeport Coal Co. Long Coal Co. Long Coal Co. Long Coal Co. Franchial J. R. Ratherine Coal Co. (June Shap Coal Co
Die Die	ndex No.	250 250 250 250 250 250 250 250 250 250

Note: For railroad tuei prices, add these mine index numbers to the respective groups set forth in Price Schedule | Al No.12 Croup 2: 128, 100, 178, 538, 546, 448, 661, 9664, 850, 686. Group 2: 126. Group 3: 169, 170, 171, 590, sary 367. Group 4: 707A. Group 6: 175. Group 6: 168, 558, 558, 559. Group 2: 126, 5100, and Tidewater, may deduct a language in Freight Origin Group 35, for shipments into Market Areas 1, 2, 3, 100, and Tidewater, may deduct of planniss in Freight Origin Group 35, for shipments into Market Area 10, will take the same necessary or permissible adjustments as Freight Origin Groups 30, 31, 32 etc.

All mines in Freight Origin Groups 36, for shipments into Market Area 11, will take the same necessary or permissible adjustments as Freight Origin Groups 30, 31, 32 etc.

All mines in Freight Origin Group 35, for shipments into Market Aress 9, 12, 13, 14, 16, will take the same necessary or permissible adulatments as Freight Origin Groups 50, 31, 22 etc.
All mines in Freight Origin Group 35, for shipments into market areas via lake ports, will take the same necessary or permissible adjustments as Freight Origin Groups 40, 50, 32 etc.
All mines in Freight Origin Group 36, for shipments of Bunker Fuel-Tidewater, will take the same necessary or permissible adjustments as Freight Origin Groups 20, 25, 30 etc.

NOTE: The material in this Temporary Schedule A-T is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Price Schedule No. 1 for this District and supplements thereto. TEMPORARY SCHEDULE A-T-TEMPORARY EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3 FOR TRUCK SHIPMENTS

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			EDDICAL REGISTER, Saturday, November 16, 1940
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16	114" and 2" slack	9	232322222222222222222222222222222222222
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Size groups	All nut and pea 2" and under	41	252 253 253 253 253 253 253 253 253 253
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	Lump over 2", egg over 2"; bot- tom size	1	***************************************
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[F. R. Doc. 40-4888; Filed, November 14, 1940; 11:32 a. m.]

[Docket No. A-227]

PETITION OF TRUAX-TRAER COAL COMPANY AND UNITED ELECTRIC COAL COMPANIES ON BEHALF OF THEMSELVES AND CERTAIN RETAIL DEALERS IN THE CHICAGO AREA REQUESTING FREE ALONGSIDE PRICES FOR THE RETAIL DEALERS

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the abovenamed parties; and the prayer for temporary relief contained therein having been withdrawn;

It is ordered. That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on November 26, 1940, at 2 o'clock in the afternoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence. require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before November 20, 1940.

Bituminous Coal Producers' Board for District No. 7 has filed a petition of intervention praying that the relief be denied unless the minimum prices of petitioners' coal for free alongside delivery to the hereinafter specified retail dealers be properly coordinated with the minimum prices of the coals produced by Code the Division duly designated for that pur- cated on the Wheeling and Lake Erie

competition therewith.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to prices for free alongside delivery from the Buckheart Mine of United Electric Coal Companies (Mine Index No. 17) and the Fiatt Mine of Truax-Traer Coal Company (Mine Index No. 46), in District No. 10, to South Chicago Coal & Dock Company, Chicago Waterway Fuel Company, Blackhawk Coal Company, Silver Creek Coal Company, Riverdale Coal & Dock Company, Consumers Company of Illinois, and Holland Coal Company, retail coal dealers located in the Chicago area.

Dated: November 14, 1940.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 40-4898; Filed, November 14, 1940; 2:08 p. m.]

[Docket No. A-23, A-24, A-267]

PETITION OF THE WARNER COLLIERIES COMPANY, A PRODUCER IN DISTRICT NO. 4, FOR A CHANGE IN COORDINATION OF MINIMUM PRICES FOR SHIPMENT INTO CERTAIN DESTINATIONS IN MARKET AREAS 12 AND 13: PETITION OF THE WARNER COLLIERIES COMPANY, A PRO-DUCER IN DISTRICT NO. 4, FOR A CHANGE IN COORDINATION OF MINIMUM PRICES FOR SHIPMENT INTO CERTAIN DESTINA-TIONS IN MARKET AREA 13; PETITION OF THE CONSUMERS' COUNSEL DIVISION FOR A REDUCTION IN EFFECTIVE MINI-MUM PRICES FOR SHIPMENT BY RAIL FROM CERTAIN MINES IN DISTRICT NO. 4, TO DESTINATIONS OF MOGADORE, SUF-FIELD, AULTMAN, MYERSVILLE AND HUD-SON, OHIO, IN MARKET AREA 13

NOTICE OF AND ORDER FOR HEARING

Petitions pursuant to the Bituminous Coal Act of 1937 having been duly filed with this Division by the above-named parties;

It is ordered, That the above-entitled matters be consolidated and that a hearing in the above-entitled matters under the applicable provisions of said Act and the rules of the Division be held on November 29, 1940, at 10 o'clock in the forenoon of that day, at a hearing room cf the Bituminous Coal Division, 734 Fifteenth Street, NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Chas. O. Fowler or any other officer or officers of

Members in District No. 7 and shipped in | pose shall preside at the hearing in such matters. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of appropriate orders in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petitions is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before November 26, 1940

All persons are hereby notified that the hearing in the above-entitled matters and any orders entered therein, may concern, in addition to the matters specifically alleged in the petitions, other matters necessarily incidental and related thereto, which may be raised by amendment to the petitions, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of these petitions.

The matter concerned herewith in Docket No. A-23 is in regard to the petition of The Warner Collieries Company, a Code member of District No. 4, operating the Wolf Run Mine (Mine Index No. 158), requesting a change in the coordination of all sizes of coal produced at mines within freight origin groups 51 to 81, inclusive, and coal produced at mines within freight origin groups 9, 10, 11, 12, 14, 15, 17, 18, and 19, for shipment into certain towns in Market Areas 12 and 13, and which are not listed on pages 21 to 23, inclusive, of the Schedule of Effective Minimum Prices for District No. 4, for all shipments except truck.

The matter concerned herewith in Docket No. A-24 is in regard to the petition of The Warner Collieries Company, a Code member of District No. 4, operating the Wolf Run Mine (Mine Index No. 158) and the Camel Run Mine (Mine Index No. 30), requesting a change in the coordination of all sizes of coal produced at mines within freight origin groups 12 and 52, with coal produced at mines in freight origin groups 9, 10, 17, 18, and 19, loRailway, Pittsburgh and West Virginia Railway, and the Pennsylvania Railroad in both subdistricts 1 and 3 of Eastern Ohio, for shipment into certain towns in Market Area 13.

The matter concerned herewith in Docket No. A-267 is in regard to the petition of the Consumers' Counsel Division of the Department of the Interior (1) for a reduction in the effective minimum prices for all sizes for all mines in freight origin groups 51, 52, 53, and 81 in the Middle, Leetonia, and Ohio Middle Freight Origin Districts, for delivery to Suffield, Portage County, Ohio, and Mogadore, Summit County, Ohio, by 25¢ per ton; and (2) for a reduction in the effective minimum prices for all sizes for all mines in freight origin groups 51, 52, 53, 54, 55, 56, 71, 72, 74, and 81 in the Middle, Leetonia, and Ohio Middle Freight Origin Districts, for delivery to Aultman, Stark County, Ohio, Myersville, Summit County, Ohio, and Hudson, Summit County, Ohio, by 25¢ per ton.

Dated: November 14, 1940.

[SEAL]

H. A. GRAY. Director.

[F. R. Doc. 40-4914; Filed, November 15, 1940; 11:55 a. m.]

[Docket Nos. A-25, A-183]

PETITION OF THE WARNER COLLIERIES COMPANY, A PRODUCER IN DISTRICT No. 4. FOR A CHANGE IN THE COORDINATION OF MINIMUM PRICES FOR LAKE CARGO RAIL-ROAD FUEL, LAKE CARGO COAL, AND LAKE VESSEL FUEL: PETITION OF THE INDUS-TRIAL COAL & IRON CO., A PRODUCER IN DISTRICT NO. 4, FOR A CHANGE IN THE COORDINATION OF MINIMUM PRICES FOR LAKE VESSEL FUEL

NOTICE OF AND ORDER FOR HEARING

Petitions pursuant to the Bituminous Coal Act of 1937 having been duly filed with this Division by the above-named

It is ordered. That the above-entitled matters be consolidated and that a hearing in the above-entitled matters under the applicable provisions of said Act and the rules of the Division be held on November 28, 1940, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Chas. O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matters. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witevidence, require the production of any | and the Chesapeake and Ohio Railroad books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of appropriate orders in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petitions is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before November 26, 1940.

All persons are hereby notified that the hearing in the above-entitled matters and any orders entered therein, may concern, in addition to the matters specifically alleged in the petitions, other matters necessarily incidental and related thereto, which may be raised by amendment to the petitions, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of these petitions.

The matter concerned herewith in Docket No. A-25 is in regard to the petition of the Warner Collieries Company, a Code member of District No. 4, operating the Wolf Run Mine (Mine Index No. 158), requesting a change in the coordination of all sizes of coal produced at mines within freight origin group 52. with all sizes of coal produced at mines in freight origin groups 9, 10, 11, 12, 14, 15, 17, and 19, for lake cargo railroad fuel or lake cargo coal for shipment from Lorain and Toledo into Market Areas 98 and 99. and for shipment of vessel fuel to the Baltimore and Ohio, and Chesapeake and Ohio docks at Toledo, Ohio.

The matter concerned herewith in Docket No. A-183 is in regard to the petition of the Industrial Coal & Iron Co., a Code member of District No. 4, operating its Apex Mine (Mine Index No. 7) and its Phillips Mine (Mine Index No. 13), requesting a change in the coordination of all sizes of coal produced at these mines in freight origin groups 81 and 52 respectively, with coal produced at mines. both strip and deep, in the Ohio No. 8 seam of District No. 4, most of which are located in Subdistricts 1 and 3 of District No. 4, and more specifically, certain mines located in freight origin groups 9. 12, 14, 15, 17, 18, and 19, for all-rail shipment of vessel fuel to the docks of the Company at Toledo, Ohio.

Dated: November 14, 1940.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 40-4913; Filed, November 15, 1940; 11:55 a. m.]

# DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

[FSA Instruction 601.2]

DELEGATIONS OF AUTHORITY BY THE ADMINISTRATOR

I. Authorizations to regional directors. In carrying out the provisions of Title I and the related provisions of Title IV of the Bankhead-Jones Farm Tenant Act within the United States, the authorities listed below are delegated (3-25-38) by the Administrator to regional directors, and other regional personnel as specified, to be exercised in accordance with the terms given herein. All such redelegations of authority, as are authorized herein, must be in writing, designating by name, title and address the delegatee and specifying the authority delegated. A copy of the delegation of authority shall be made available to the regional FC manager. (In the case of Region I these authorities are delegated to the RR Supervisor for Region I.)

- A. The following authority may not be redelegated by the regional directors:
- 1. Wage rates. To prescribe wage rates to be paid for construction work by contract carried on with TP loan
- 2. Release of security. To authorize the release from the terms of the mortgage, such security as is necessary to enable the borrower to sell a part of the land for right-of-way for a road. building sites for public purposes, public utility easements or other purposes, provided that such sales are either necessary or desirable to make the farm a more satisfactory family-type unit and to execute the instruments for such sales when such instruments are approved by the regional attorney and when the proceeds from the sales are used to protect the security of the Government.
- 3. Utilization of resettlement lands. (1) To execute deeds in the sale of these lands to applicants for TP loans after these lands have been approved by the Administrator for such sales. (2) To determine the selling price of the resettlement lands in accordance with the established standards provided, however, that no land can be so utilized unless the county committee certifies with respect thereto as under regular procedure.
- 4. Execution of affidavits affecting recorded instruments. To execute and nesses, compel their attendance, take Baltimore and Ohio Railroad Company record affidavits or agreements in con-

record, pursuant to the provisions of ment due on the farm. state statutes.

- 5. Release of controlled funds. To order any depository of TP funds held in the controlled bank account, to pay such funds upon written demand to the Government or to any person or persons designated by the regional director. This authority shall be exercised only after the approval of the regional attor-
- B. The following authority may be redelegated by regional directors to state RR directors:
- 1. State committee meetings. To call meetings of state Farm Security Advisory committees within their states.
- C. The following authorities may be redelegated by the regional directors to assistant regional directors in charge of RR (or assistant regional directors in charge of RP where there is no assistant regional director in charge of RR) and chiefs and assistant chiefs of regional TP sections:
- 1. Approval of loans. To approve TP loans and supplementary TP loans by executing the necessary documents and amendments thereto and by approving the vouchers.
- 2. Approval of titles. To determine whether or not easements, leases and other outstanding reservations and exceptions to, and minor defects in, the title to lands to be acquired through TP loans will interfere with the purpose for which the land is to be acquired, and to determine in any case an equitable arrangement for the application of the income arising from such outstanding interests or part thereof as extra payments on the loan. (Rev. September 6, 1940)
- 3. Variable payments. To determine annually the amount of payment each borrower is to make under the variable payment plan.
- 4. Releases. To give the consent of the Government to releasing from the terms of the TP mortgage, timber and naval stores for commercial harvesting, stone, gravel, coal and other minerals for commercial disposal, and land for oil leasing, provided that: (1) The timber and naval stores are harvested in accordance with the approved farm management practices. (2) The quarrying of stone, removing of gravel, mining of coal and other minerals, and the leasing of land for oil does not interfere with the agricultural use or value of the farm, or if the agricultural use or value is impaired, compensating payments will be made to the Government for such losses. (3) The proceeds of sales from any of these transactions are to be divided equitably between the Government and the borrower, the part paid to the Government being in addi- the purpose of considering applications

- 5. Removal of buildings. To give the consent of the Government to the removal of buildings from TP farms.
- 6. Contracts and plans. To approve plans and construction contracts for major repairs and new construction.
- 7. Construction performed with TP loan funds. To specify the methods by which construction work is to be done: Provided, however, That nothing contained in this paragraph or in paragraph IC6 above shall be construed to authorize any official of the FSA to vary or modify or approve the variance or modication of the wage rates prescribed by the regional director in accordance with paragraph IA1 of this Instruction or to vary or modify or approve the variance or modification of any of the labor provisions of the approved form of construction contract.
- D. The following authorities may be redelegated to state RR directors, state TP specialists, assistant state TP specialists, district RR supervisors and county RR supervisors, in addition to the persons indicated in paragraph IC:
- 1. Physical examination. To make all necessary arrangements with physicians to give health examinations to tentatively approved TP applicants.
- 2. Variable payments. To execute variable payment agreements.
- 3. Construction performed with TP loan funds. To authorize payments when the work is completed on a contract basis, provided that the final inspection report indicates that the work is satisfactory.
- E. The following authority may be redelegated by the regional directors to any designee:
- 1. Approval of depositories. To approve the bank or other depository (which must be insured under the Federal Deposit Insurance Corporation) in which the proceeds of TP loans shall be deposited by the borrower.
- F. The following authorities may be delegated to the district RR supervisors or county RR supervisors by the regional directors:
- To countersign 1. Countersignatures. all withdrawals of TP loan proceeds from the bank or other depository by the borower and to perform all of the functions ascribed to countersigning officers.
- II. Authorization to regional directors, assistant regional directors, chiefs and assistant chiefs of regional TP sections, State RR directors, State TP specialists, assistant State TP specialists, and district or county RR supervisors:
- A. County committee meetings. To call meetings of county committees for

nection with or affecting instruments of | tion to the annual amortization pay- | for TP loans and performing related work.

- III. Authorization to regional directors and regional office managers, the business manager or assistant business manager:
- A. Letters of authorization. To issue a Letter of Authorization to each county RR supervisor authorizing him to direct travel of county committeemen within and outside of the county for the purpose of attending meetings called by the persons mentioned in par. II.
- IV. Authorizations to director of extension service in Puerto Rico:
- A. The Secretary of Agriculture has authorized the Administrator of the FSA to delegate to the Director of Extension Service for Puerto Rico, such powers (to be exercised within the territories) as have been previously, or may hereafter be, delegated to regional directors of the FSA and which may be necessary for the following purposes: (Rev. June 18, 1940)
- 1. To make, service, collect and liquidate loans pursuant to Title I of the Bankhead-Jones Farm Tenant Act.
- 2. To make, service, collect and liquidate rural rehabilitation loans to those individuals who receive loans pursuant to Title I of the Bankhead-Jones Farm Tenant Act. Provided, however, That no such delegation shall include any authority to make loans to individuals to enable them to engage in joint enterprises or cooperative activities.
- 3. In cases where the regional director has power to redelegate his functions to his subordinates, the Director of Extension Service may redelegate those powers to the TP specialist in charge of the TP program, within such limitations as are prescribed for regional directors.
- 4. In carrying out the powers which may be vested in him, the Director of Extension Service shall be subject to the general administrative supervision of the Administrator.
- B. All such redelegations shall be in writing, addressed to the TP specialist and shall be signed in duplicate. The original of each such redelegation of authority shall be delivered to the TP specialist, and the signed copy shall be forwarded to the Administrator, Farm Security Administration, Washington, D. C., Refer to: Finance and Control Division.
- V. Exceptional cases: The authorities herein delegated shall be executed in accordance with FSA Instructions. There is hereby reserved to the Administrator the power to consider exceptional cases with a view to determining whether the Instructions of the FSA may be waived with respect to such cases.

Approved, September 6, 1940.

GEORGE S. MITCHELL, [SEAL] Acting Administrator.

[F. R. Doc. 40-4900; Filed, November 14, 1940; 2:38 p. m.]

DESIGNATION OF LOCALITIES IN COUNTY OF INDEPENDENCE, STATE OF ARKANSAS, IN WHICH LOANS, PURSUANT TO TITLE I OF THE BANKHEAD-JONES FARM TENANT ACT, MAY BE MADE

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 23, 1940, loans made in Independence County, Arkansas, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with provisions of those rules and regulations. There follow a description of the localities and the determination of value for each of those localities:

Locality I: Townships of Ashley, Barren, Black River, Cushman, Dota, Gams-	Value
boro, Jefferson, Logan, Marshall, Union, Washington, and Wy- cough	
Locality II: Townships of Big Bottom, Christian, Craig, Greenbrier, Magness,	
Mc Hue, Moorefield, Oil Trough, Rosie, Ruddell, Salado, Vaughan,	
and White River	2, 392
Townships of Departee, Fairview, Hill, Huff, Liberty, and Relief	1, 230
Approved: November 9, 1940.	

[SEAL] C. B. BALDWIN,
Administrator.

[F. R. Doc. 40-4901; Filed, November 14, 1940; 2:38 p. m.]

# Rural Electrification Administration.

[Administrative Order No. 538]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 5, 1940.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Market Anna Carlotte Control Control	
	mount
Alabama 1018W2 Cullman	85,000
Colorado 1034W1 Eagle	4,000
Florida 1026W1 Hardee	4,000
Florida 1028W1 Madison	6,000
Georgia 1098W1 Randolph	8,000
Georgia 1099W1 McIntosh	5,000
Illinois 1012W2 Bureau	5,000
Illinois 1039W3 Fulton	12,000
Indiana 1083W1 Dubois	20,000
Indiana 1099W1 Spencer	21,000
Iowa 1077W1 Davis	
Iowa 1079W1 Clark	8,000
Power doors to	6,000
Kansas 1027W2 Morris	3,000
Kansas 1034W1 Barton	8,000
Kentucky 1003W2 Jackson	6,000
Kentucky 1058W1 Floyd	10,000
Maine 1010W1 Franklin	5,000
Michigan 1045W10 Cass	15,000
Minnesota 1056W3 Crow Wing	
Minnesote 10707110 Pin Ct	5,000
Minnesota 1079W3 Big Stone	7,000
Minnesota 1082W2 Becker	5,000
Minnesota 1084W1 Traverse	8,000

Project designation—Continued	Amount
Minnesota 1085W1 Todd	\$15,000
Minnesota 1093W1 Cass	5,000
Mississippi 1030W3 Jones	_ 10,000
Mississippi 1036W3 Marion	5.000
Missouri 1033W2 Butler	_ 10,000
Missouri 1056W1 Sullivan	_ 10,000
North Carolina 1021W3 Sampson.	5,000
North Dakota 1017W2 McHenry	3, 500
Ohio 1093W1 Washington	8,000
Oregon 1016W3 Malheur	10,000
Oregon 1022W1 Clackamas	
Pennsylvania 1021W2 Somerset	
Pennsylvania 1024W2 Bedford	
Pennsylvania 1025W1 Adams	
South Carolina 1021W2 Lancaster.	
South Carolina 1032W1 Calhoun	
South Carolina 1033W1 Cherokee.	
South Carolina 1034W1 Newberry	5,000
South Carolina 1035W1 Abbeville.	
South Carolina 1037W1 Lexington.	
South Dakota 1015W1 Butte	
Texas 1055U1 Floyd	20,000
Texas 1087W2 Karnes	
Texas 1094W2 Gonzales	
Texas 1095W2 Medina	
Texas 1114W1 Tom Green	
Utah 1006W3 Garfield	
Vermont 1010W1 Windham	
Virginia 1034W2 Lee	
Wisconsin 1048W3 Waupaca	4,000
[SEAL] HARRY SLATTER	RY.
	100

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 40-4899; Filed, November 14, 1940; 2:38 p. m.]

# DEPARTMENT OF COMMERCE.

Civil Aeronautics Authority.

[Docket No. 334, 204]

AMERICAN AIRLINES, INC.

NOTICE OF POSTPONEMENT OF HEARING 1

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith; in the matter of the petition for the determination of fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith on AM Routes 4 and 23, under section 406 of the Civil Aeronautics Act of 1938.

At the request of the applicant, the above-entitled proceeding, involving the determination of fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith by American Airlines, Inc., now assigned for public hearing on November 25, 1940, is hereby postponed to December 5, 1940, 10 o'clock a. m. (Eastern Standard Time) at the Willard Hotel, 14th Street and Pennsylvania Avenue NW., Washington, D. C., before Examiner Frank A. Law, Jr.

November 13, 1940.

[SEAL] FRANK A. LAW, Jr., Examiner.

[F. R. Doc. 40-4911; Filed, November 15, 1940; 11:46 a. m.]

<sup>1</sup> Issued by Civil Aeronautics Board.

[Docket No. 507]

UNITED AIR LINES TRANSFORT CORPORA-TION AND LOCKHEED AIRCRAFT CORPORA-TION

### NOTICE OF HEARING

In the matter of the application under section 408 (b) of the Civil Aeronautics Act of 1938 for approval of the acquisition by Lockheed Aircraft Corporation from United Air Lines Transport Corporation of the outstanding capital stock of United Airports Company of California, Ltd.

The above-entitled proceeding is hereby assigned for public hearing on November 19, 1940, 10 o'clock a. m. (Eastern Standard Time) at the Carlton Hotel, 923 16th Street NW., Washington, D. C., before Examiner J. Francis Reilly.

Dated Washington, D. C., November 13, 1940.

By the Civil Aeronautics Board.
[SEAL] THOMAS G. EARLY,

[F. R. Doc. 40-4912; Filed, November 15, 1940; 11:46 a. m.]

Secretary.

### FEDERAL TRADE COMMISSION.

[Docket No. 4348]

IN THE MATTER OF CUTTER LABORATORIES, A CORPORATION,

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of November, A. D. 1940.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41).

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, November 25, 1940, at ten o'clock in the forenoon of that day (pacific standard time) in Room 542, Federal Office Building, San Francisco, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40–4909; Filed, November 15, 1940; 11:18 a. m.]

INTERSTATE COMMERCE COMMIS-

ORDER REGARDING APPLICATIONS TO CON-SOLIDATE, MERGE, PURCHASE, OPERATE, OR CONTROL RAILWAYS-PROCEDURE

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 12th day of November, A. D. 1940.

The Commission having under consideration its special instructions of April 9, 1934, in the above-entitled

It is ordered. That said special instructions of April 9, 1934, be, and they are hereby, revoked and set aside.

By the Commission.

[SEAL]

W. P. BARTEL, Secretary.

(F. R. Doc. 40-4910; Filed, November 15, 1940; 11:33 a. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 70-179]

IN THE MATTER OF THE UNITED GAS IM-PROVEMENT COMPANY LUZERNE COUNTY GAS AND ELECTRIC CORPORATION

ORDER GRANTING APPLICATION AND PERMIT-TING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 14th day of November, A. D. 1940.

The above named persons having filed jointly an application and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10, 12 (c), and 12 (f) thereof, and Rules U-12C-1 and U-12F-1 thereunder, regarding the sale by The United Gas Improvement Company, a registered holding company, and the acquisition for retirement by Luzerne County Gas and Electric Corporation, a wholly-owned subsidiary company thereof, of 540 shares of \$7 Dividend First Preferred Stock of said Luzerne County Gas and Electric Corporation for the sum of \$55,397.53 (\$102.5880 per share) pursuant to the terms of an agreement dated December 7, 1939, as amended September 20, 1940; and

ing been filed on October 15, 1940, and notice of said filing having been duly given in the form and manner prescribed by Rule U-8 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application and declarations within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declarations pursuant to Rules U-12C-1 and U-12F-1 to become effective, and finding with respect to said application under section 10 of said Act that no adverse findings are necessary under section 10 (b) and section 10 (c) (1) of said Act and that the transaction involved has the tendency required by section 10 (c) (2) of said Act;

It is hereby ordered, Pursuant to said Rule U-8 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-9, that the aforesaid application be granted and that the aforesaid declarations be permitted to become effective forthwith.

By the Commission, Commissioner Healy dissenting in the action with respect to the application and declarations for the reasons set forth in his memorandum of April 1, 1940.

FRANCIS P. BRASSOR. [SEAL] Secretary.

IF. R. Doc. 40-4903; Filed, November 15, 1940; 11:13 a. m.

[File No. 70-194]

IN THE MATTER OF THE DALLAS GAS COM-PANY, COUNTY GAS COMPANY, COMMU-NITY NATURAL GAS COMPANY, LONE STAR GAS CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 14th day of November, A. D. 1940.

Notice is hereby given that declarations and applications have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named parties.

Notice is further given that any interested person may, not later than Decem-

Said application and declarations hav-|ber 3, 1940 at 4:30 P. M., E. S. T., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declarations and applications, as filed or as amended, may become effective, as provided in Rule U-8 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declarations and applications, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

County Gas Company, a wholly owned subsidiary of Lone Star Gas Corporation, proposes to sell all of its assets, at book value. The greater part of the assets, consisting of gas distribution properties in and around the City of Dallas, Texas, will be bought by the Dallas Gas Company, a wholly owned subsidiary of Lone Star Gas Corporation. The Dallas Gas Company will pay a small amount in cash, will assume County Gas Company's liabilities applicable to those assets, and will issue 10.470 shares of its \$100 par common stock for the balance at par. The stock will be issued to Lone Star Gas Corporation, as nominee of County Gas Company.

The assets not sold to The Dallas Gas Company will be hold to Community Natural Gas Company, also a wholly owned subsidiary of Lone Star Gas Corporation. These assets consist of gas distribution properties in Dallas and Tarrant Counties, Texas. Community Natural Gas Company will assume the liabilities applicable to those assets, and will pay the balance of about \$125,000 in cash.

After the above assets have been sold, County Gas Company will proceed to liquidate and distribute whatever remains to Lone Star Gas Corporation, its sole stockholder.

Pursuant to direction of the Commission.

FRANCIS P. BRASSOR, [SEAL] Secretary.

[F. R. Doc. 40-4904; Filed, November 15, 1940;